Providing *ecology* support for *everyone*

Simply Native Ltd
Hi-Line Transport
Blackpool Old Road
Highfurlong
Blackpool
FY3 7LX

5th April 2024

Dear Simon

Re: Development at Bowland Wild Boar Park, Chipping, PR3 2QT
(Grid Reference SD 64976 45114)

Thank you for your request for an ecology survey and assessment.

We understand that the proposal is for retrospective planning permission in relation to the installation and construction of a Tipi Wedding venue facility at the above site.

1.0 Background and Qualifications

Ecology Services UK Ltd previously carried out Ecology surveys on land adjacent to the proposed development site and prepared Preliminary Ecological Appraisal Reports in 2019 and 2023 for development proposals relating to the adjacent holiday lodges and camping pods.

The 2024 survey was carried out by Pat Waring and Janette Gazzard.

Pat is a licensed bat worker and great crested newt surveyor, a registered consultant of the Bat Mitigation Class licence in England, a Chartered Environmentalist and a full member of the Chartered Institute of Ecology and Environmental Management, with a Bachelor of Science degree in Biology.

Pat has been working as an ecological consultant for over 26 years, including over 19 years as Director of Ecology Services UK Limited. This work includes provision of expert advice and guidance to bodies such as Statutory Nature Conservation Organisations, Local Planning Authorities, as well as the delivery of professional training courses.

Pat has recognised and extensive experience and knowledge of ecological survey, monitoring, condition assessment and impact assessment techniques; these include impact assessment in relation to bats, great crested newts, nesting birds and changes to habitats, as well as ecological surveys and assessments.

Janette is a licensed bat worker (Class 2 licence) and a full member of the Chartered Institute of Ecology and Environmental Management, with a Bachelor of Science degree in Environmental Management.

Janette has over 20 years professional experience working in ecology and nature conservation, including roles as a Senior Ecologist for a large multidisciplinary company and as a lead adviser for Natural England throughout the North West of England. She has a range of demonstrable skills including habitat surveys, ecological appraisals, protected species surveys, conservation management advice and condition assessments.

Pat Waring and Janette Gazzard meet the requirements for knowledge, skills and practical experience as outlined in the CIEEM technical guidance as follows:

Pat and Janette meet the requirements for knowledge, skills and practical experience as outlined in the CIEEM technical guidance series, Competencies for Species Surveys available at: http://www.cieem.net/competencies-for-species-survey-css

This advice letter complies with national best practice guidance as outlined in: *Chartered Institute of Ecology and Environmental Management (2017) Guidelines for Preliminary Ecological Appraisal. Second Edition.* CIEEM, Hampshire.

1.1 Advisory Note

The information in this letter represents the professional opinion of an ecological consultancy and does not constitute professional legal advice. You may wish to seek professional legal interpretation of the wildlife legislation associated with this area of work.

The information, opinion and advice that Ecology Services UK Ltd has prepared are true, and have been prepared in accordance with the CIEEM Code of Professional Conduct. Ecology Services UK Ltd confirms that the opinions expressed are our true professional bone fide opinions.

Ecology surveys are time-limited; as a rule survey findings can generally be relied on for the season in which surveys took place. However, mobile species such as bats and birds may increase or decrease in numbers and change behaviours over time. Statutory agencies will often accept survey results for 12-18 months, but this varies around the country.

Ecology Services UK Ltd personnel make a professional judgement as to how long the results of our surveys will remain current. Advice and recommendations as regards currency and its impacts on decision making are included in relevant sections below.

2.0 Methodology

2.1 General

In order to assess the habitats and likelihood of protected species being present at the proposed development site, a site visit was undertaken on the 26th February 2024. The proposed development site and the close surroundings were searched and assessed for their potential to support a range of protected species known to occur in the area.

Given the small-scale nature of the proposed development, the type of works proposed and the habitats present, a methodology was used that was proportionate for this project.

2.2 Desk study surveys

The Preliminary Ecological Appraisal Reports, dated 13th January 2020 and 28th April 2023, prepared by Ecology Services UK Ltd were reviewed.

The proposed development site covers a small (size) area of non-priority habitat (plantation woodland). In accordance with guidance provided in Guidelines for Accessing and Using Biodiversity Data (CIEEM, 2020), it is considered that the purchase of further ecological records is not required in this instance.

2.3 Habitats

A Habitat Survey was carried out, whereby the vegetation and habitats of the whole site and immediate surroundings were examined on foot.

Habitats were described in terms of plant species composition and categorised as follows:

- Phase 1 Habitats (using descriptions in the Phase 1 Habitat Survey Handbook).
- UK Habitat Classification accessed at https://ecountability.co.uk/ukhabworkinggroup-ukhab/
- Habitats of Principal Importance which are listed under Section 41 of the Natural Environment and Rural Communities Act (NERC) Act 2006.

Scientific names follow Stace (4th Edition 2019).

2.4 Bats

All structures and trees within the survey area were subject to examination for potential bat roost features with binoculars and torches.

Observations were made from ground level. An endoscope, although available, was not required during the investigation. A 1000 lumens Led Lenser X21 torch and close-focussing Zeiss Victory FL 8x42 binoculars were also used as aids to visibility.

The methods used for bat surveys comply with those outlined in current best practice guidance:

Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice guidelines (4th edn). Bat Conservation Trust

2.5 Amphibians (including great crested newts)

A search for amphibians was made across the survey area, including likely breeding ponds and sheltering features such as areas of dense sheltering vegetation and rubble. This was followed by an extensive hand search of potential sheltering features, as well as an assessment of potential breeding ponds in the immediate vicinity, sheltering places and likely availability of feeding resources.

The methods used for the amphibian survey complied with the following documents:

Gent, T. and Gibson, S. (2003). Herpetofauna Workers Manual. JNCC, Peterborough.

Sewell, D. (2017) Survey protocols for the British herpetofauna
Version 1.0. Amphibian and Reptile Conservation.

2.6 Reptiles

A search for reptiles was made of accessible parts of the proposed development area and its surroundings, including likely sheltering features such as areas of dense vegetation. This was followed by an assessment of potential sheltering sites and basking features, as well as the likely availability of feeding resources.

The methods used for the reptile survey complied with the following source:
https://www.gov.uk/guidance/reptiles-protection-surveys-and-licences

2.7 Badgers

During the field surveys, the survey area and its surroundings (including accessible parts of the adjacent woodland) were subjected to examination for signs of use by badgers, including:

Latrines (collections of dung pits), setts, hairs, badger paths, footprints, snuffle holes and scratching posts.

The badger survey complied with guidance in Harris, S. Cresswell, P. Jefferies, D. (1989) Surveying Badgers. Occasional Publication No.9. The Mammal Society.

2.8 Nesting birds

The survey area was assessed for its potential to support a range of nesting bird species (including barn owls) known and likely to occur in the local area.

All structures and trees within and immediately adjacent to the proposed development site were closely examined for signs of nesting, and assessed for their potential to support nesting birds.

2.9 Other important species (including Species of Principal Importance)

The survey area was assessed for its potential to support the following Species of Principal Importance, all of which are known to occur in the wider landscape.

- Common toad *Bufo bufo*
- Hedgehog *Erinaceus europaeus*
- Brown hare *Lepus europaeus*

2.10 Non-native invasive species

The proposed development site was searched and assessed for its potential to support non-native invasive species.

2.11 Limitations

The presence and behaviour of species, especially mobile species such as bats and birds, can change over time. The condition of habitats and the visibility of some flowering plant species can also vary over time. It is recognised, therefore, that ecology surveys are always time-limited in their currency.

It is recognised that limiting the survey in 2024 to a single visit in February does not take account of protected species activity on the site through the whole of the relevant active seasons (e.g. March/April to October = bats, February to September = nesting birds) or at other times of the year.

Limiting the survey period as outlined above does not take account of plant growth through the year. It is possible that a number of flowering vascular plant species would not have been evident during the survey.

3. Results

3.1 Protected sites

The development site lies within the Forest of Bowland Area of Outstanding Natural Beauty.

There are no other statutory sites located within or adjacent to the development site.

The east border of the development site lies adjacent to Swaney Holme Wood & New Ground Wood Biological Heritage Site (BHS). The BHS is also an ancient woodland, included within the Ancient Woodland Inventory for Lancashire.

3.2 Habitats

The red line boundary of the development includes part of an existing access track, car park and mixed, plantation woodland which covers an area of 0.96 hectares.

The development site, where part of the work has occurred, covers an area of 0.64 hectares. The development site is within an existing area of plantation woodland; some broadleaved and coniferous trees have been retained and an unknown number of trees (estimated to be up to 20 years old) have been removed. There is an existing hardstanding car parking area to the south east and newly installed stone chipping pathways throughout the former plantation. A large decking platform as well as two stored metal containers have also been installed (refer to Image 1. proposed site layout below).

Tree species present include ash *Fraxinus excelsior*, oak *Quercus sp*., Sitka spruce *Picea sitchensis,* European larch *Larix decidua*, Mountain ash *Sorbus aucuparia*, Silver birch *Betula pendula* and willow *Salix sp*. There is no understorey and the ground cover is dominated by grasses including Yorkshire fog *Holcus lanatus,* creeping soft grass and cocksfoot *Dactylis glomerata.* There is a thick thatch of litter indicating at most, light grazing has occurred, prior to the development work. Soft rush *Juncus effusus*, nettle *Urtica dioica* and broad-leaved dock *Rumex obtusifolius* are locally dominant, along with bracken *Pteridium aquilinum*.

The development site is located within a larger area of plantation woodland along the western edge of the Bowland Wild Boar Park Estate. The close and wider surroundings are dominated by broadleaved woodland, hedgerows, open grassland managed as livestock shelters and as agricultural fields, and the River Hodder. Connecting features in the landscape include ancient broadleaved woodlands, plantation woodlands, tree belts and hedgerows.

Site layout plans are attached.

Habitat categories for the development site are best regarded as:

- **Phase 1 Habitat:** *Woodland, mixed, plantation*, *Built-up areas and other habitat*
- **UK Habitat Classification:** *w1h other woodland, mixed, u1b6 other developed land*
- **Habitats of Principal Importance**: *None*

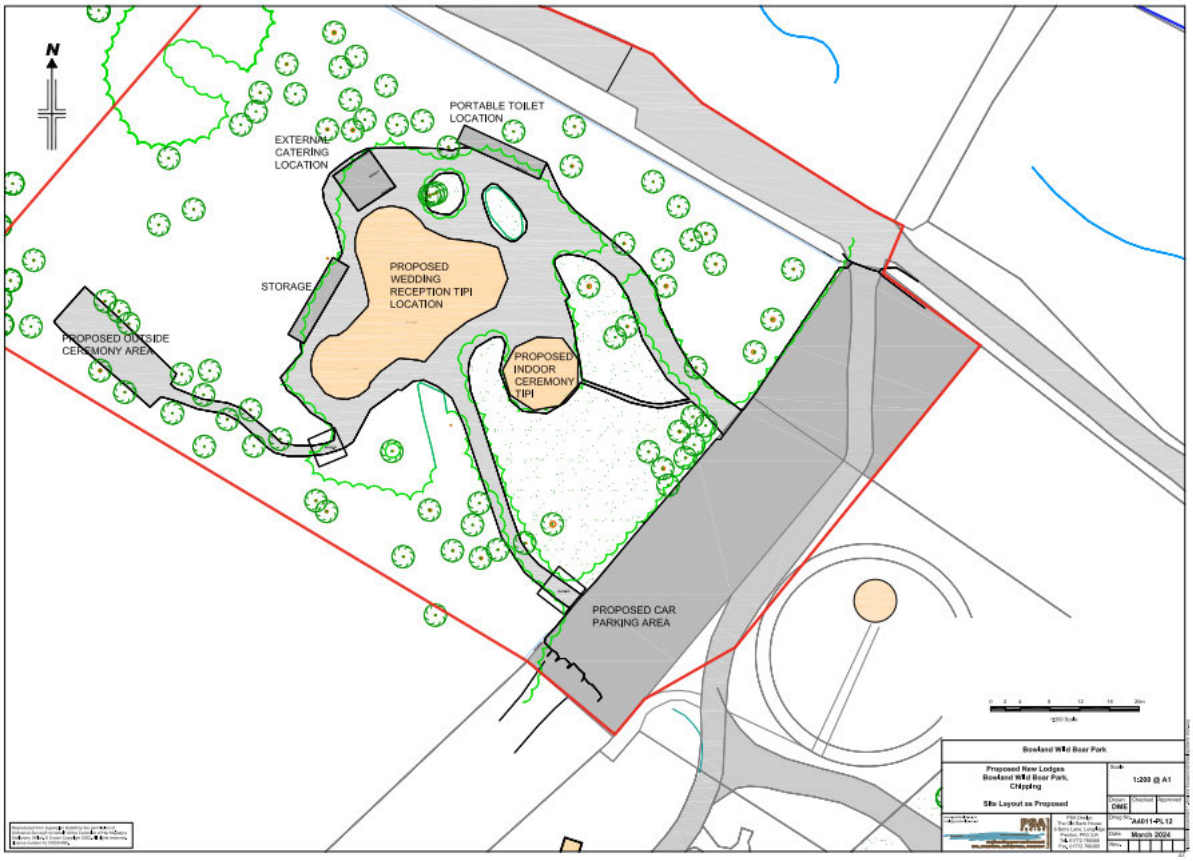


Image 1. Proposed site layout

3.1 Bats

No bats or evidence of bats was found during the 2024 survey.

Common pipistrelle bats and soprano pipistrelle bats have been recorded in flight and roosting in the wider vicinity of the development by Ecology Services UK Ltd during previous surveys in 2023.

There are no structures or trees with features suitable to support roosting bats within the development boundary.

Based on the information available there is negligible potential of roosting bats occurring on the development site. There is high potential of bats roosting in the woodland to the east as well as in trees to the north and west. There is high potential for bats to use the development site and the surrounding landscape for foraging.

3.2 Amphibians (including great crested newts)

No amphibians were found during the survey and there are no amphibian records for the development site.

The development site offers moderate potential sheltering places and refugia suitable for use by amphibians (e.g. newts, common toads and common frogs.)

There are ponds in close proximity to the development site. Ponds that lie within livestock enclosures are heavily degraded and have negligible potential for use by amphibians. The pond situated at the Bowland Wild Boar Park entrance (approximately 250 metres north west) is suitable to support (breeding, sheltering and foraging) amphibian species. Frog spawn was previously recorded from this pond in 2023.

Based on the information available, there is moderate potential of amphibians making use of the development site for foraging and shelter.

3.3 Reptiles

No reptile species were found during the surveys and there are no reptile records for the development site.

The development site offers a limited range of potential sheltering places and refugia suitable for use by reptiles.

There is no evidence to suggest that reptiles may be present in the development site or its immediate surroundings.

Based on the information available there is low potential of reptiles making use of the development site.

3.4 Badgers

No badgers or signs of badgers were observed during the surveys.

The development site has high potential for use by badgers.

The surroundings to the development site have high potential for use by badgers. The potential is associated with shelter and foraging opportunities.

Based on the information available, there is high potential of badgers foraging on the development site. There is high potential of badgers using the habitats in the immediate vicinity of the development site for foraging and excavating setts.

3.5 Nesting birds

Tree creeper, goldfinch, great tit, blue tit, nuthatch, robin, blackbird, mallard and a barn owl were all observed during the survey.

Based on the information available, there is high potential of nesting birds occurring in planted trees and grassland habitats on the development site. There is also high potential for a range of nesting bird species to occur in habitats surrounding the development site during the nesting season (February to September).

Based on the information available and the habitat assessment, there is high potential for birds to forage and shelter in planted trees and grassland habitats on the development site outside the nesting season. There is also high potential for birds to forage and shelter in habitats surrounding the development site outside the nesting season.

3.6 Other important species (including Species of Principal Importance)

Common toad

No common toads were found during the 2024 survey. A common toad was found in close proximity in spring 2023.

The development site has sheltering features with potential to support common toads; such as timber decking platform, vegetation and brash piles.

The close and wider surrounding have sheltering features with potential to support common toad. Potential sheltering features for hedgehog include the bases of the trees, cut brash, logs and vegetation piles.

Hedgehog

No hedgehogs were found during the survey.

The development site has sheltering features with potential to support hedgehogs, such as timber decking platform, vegetation and brash piles.

The close and wider surroundings have sheltering features with potential to support hedgehogs. Potential sheltering features include the bases of trees, cut brash, log and vegetation piles.

Brown hare

No brown hares were found during the survey.

The close and wider surroundings have sheltering features with potential to support Brown hare. Potential sheltering features include the bases of trees, cut brash and vegetation.

3.5 Non-native invasive species

No evidence of species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) was found.

Himalayan balsam is occasional to locally abundant in other parts of the Wild Boar Park site.

4.0 Advice and Recommendations

The basic approach follows the mitigation hierarchy, avoiding impacts wherever possible, and with compensation as a last resort.

The aim is to ensure that impacts will be minimised as much as possible and restricted to the development site only, avoiding adjacent habitats, in particular those that fall within the Swaney Holme Wood & New Ground Wood Biological Heritage Site.

It is advised that an appropriately experienced Ecologist/Ecological Consultancy should be employed prior to any works commencing, to act as a specialist consultant and an Ecological Clerk of Works (ECoW) for the whole project. The ECoW will need to have specialist experience, knowledge and an appropriate level of skills in relation to a range of ecological receptors, including (but not limited to) amphibians, reptiles, badgers and birds. In addition, the ECoW will need to have experience, knowledge and an appropriate level of skills in relation to toolbox talks, contractor supervision and undertaking compliance audits.

The services required from the ECoW will include (but will not necessarily be limited to):

- Acting as a contact for all ecology-related issues for the proposed development site, to provide continuity throughout the project
- Undertaking site checks at all stages of the proposed development
- Delivery of toolbox talks and other appropriate briefings to site personnel
- Issuing of method statements (where required) for all stages of the development
- Direct supervision of contractors for all ecological aspects, throughout all stages of the development.
- Undertaking of a compliance audit and reporting throughout all stages of the development

4.1 Protected and designated sites

Ecological Receptor	Impacts, Issues & Rationale	Action
Protected/ designated sites	The development lies within the AONB **Potential** impacts to the adjacent Biological Heritage Site. The BHS lies to the immediate east of the development site.	**Advice (mitigation):** The development design and extent should take full account of the AONB and where possible, make a positive contribution to the designated area. **Prior to and during development.** **Recommendation (mitigation):** The development design should take full account of the adjacent Swaney Holme Wood & New Ground Wood BHS; this is particularly important as regards management of water running off the development site, retaining tree canopy connections, as well as other potentially disturbing activities such as vehicle movements. Loss and other damage to the BHS should be avoided at all times. This should be subject to a compliance check by the Ecological Clerk of Works (ECoW). **During and post development.** **Recommendation (mitigation):** The development should minimise disturbance and risk of pollution to the adjacent BHS e.g. by ensuring all materials used by and generated as a result of the development are be stored in such a way as to avoid run-off and other contamination entering the BHS. As a matter of course, all inorganics (cements, oils and other volatiles) should be stored as per the relevant manufacturer's instructions. All organic material should also be stored carefully. All waste products should be separated out and disposed of appropriately, using local facilities where possible, to achieve the maximum level of sustainability. This should be subject to a compliance check by the ECoW. **During and post development.**

Ecological Receptor	Impacts, Issues & Rationale	Action
		Recommendation (mitigation): At all times, artificial light spillage onto the adjacent BHS should be avoided. This should be subject to a compliance check by the ECoW. **During and after development.**

Table1.Protected Sites: Impacts and Action

4.2 Habitats

Ecological Receptor	Impacts, Issues & Rationale	Action
Mixed plantation woodland (incorporating neutral grassland) continued	**Direct loss** of habitats (plantation woodland and grassland). **Predicted physical damage and physical disturbance** to retained habitats during final construction and post development (use as a wedding venue). **Predicted increased levels of disturbance** (levels of activity, lighting and noise) that will deter species from making use of the development site and adjacent areas for breeding, forging and sheltering.	**Recommendation (compensation and mitigation):** The loss, damage and disturbance of habitats should be offset by adopting and implementing a long-term Compensation and Mitigation Management Plan. This plan should include some or all of the following: • Enhancement to an existing area of similar habitat to that which has been affected by the development. This area of land should be immediately adjacent to and/or in close proximity the existing development site and should be set aside and clearly demarcated and managed purely for conservation. • The land demarcated as a conservation area should, as a minimum, be at least twice the size of the land lost to the development. • The conservation area must be actively managed to improve the ecological value of existing habitats, primarily plantation woodland. • The habitats and features within the conservation area should be enhanced to help offset the loss of sheltering, foraging and breeding opportunities for species such as nesting birds, bats, amphibians and hedgehogs.

Ecological Receptor	Impacts, Issues & Rationale	Action Required
		• Where appropriate, replacing trees by planting locally native tree species. The number of trees lost as a result of the development will need to be estimated so that new planting is at least twice the number of trees lost as a result of the development. • Retaining and enhancing ecological connections e.g. to the adjacent BHS and other areas of plantation within the close and wider surroundings • Monitoring and compliance checks **During and after development** **Recommendation (mitigation):** At all times, artificial light spillage onto the adjacent plantation woodland and BHS should be avoided. This should be subject to a compliance check by the ECoW. **During and after development**

Table 2. Habitats Impacts and Action

4.3 Species

Ecological Receptor	Impacts, Issues & Rationale	Action Required
Bats	There are **no predicted** impacts to day roosting bats as a result of the proposed development. Bats will forage over the whole development site and adjacent landscape during their active season (April to October). All bat species are afforded full protection under UK and European legislation, including the Wildlife and	**Recommendation(mitigation):** Any new lighting associated within the development should be designed to reduce light spill upwards and where possible there should be no light spill onto adjacent trees. This will help to avoid any impacts on bat activity, including roosting, foraging and commuting. **During and Post development.** **Artificial lighting (mitigation):** It is recommended that any new lighting associated with the proposed development should comply with: https://www.gov.uk/guidance/light-pollution

Ecological Receptor	Impacts, Issues & Rationale	Action Required
Bats continued	Countryside Act 1981 (as amended) and the Conservation of Habitats and Species 2017 (as amended)	Institution of Lighting Professionals and Bat Conservation Trust (2018) *Bats and Artificial lighting in the UK; Bats and the Built Environment Series*. Specifically, it is recommended that the following mitigation practices are adopted: 1. Avoid wherever possible artificial light spillage onto potential bat flyways and foraging features; this includes all habitats. **During work and post-development.** 2. Ensure that lux levels falling onto bat flyways and foraging features are no greater than 0.5 lux. 0.5 lux is the recommended upper limit of lighting for these features. **During work and post-development.** 3. Avoid artificial light spillage onto vegetation adjacent to the proposed development site. **During work and post-development.** 4. Leave bat foraging resources undisturbed as much as possible before, during and after works. **At all times.** **Recommendation(enhancement):** New bat roosting features e.g. a minimum of 2 bat boxes such a Kent Box, Vincent Pro or Schwegler 2F should be installed on suitable trees within appropriate location e.g. conservation area as described in Table 2. **Post development.**
Amphibians	There are **potential** impacts to amphibians (including great crested newts) as a result of the development.	**Advice (mitigation):** It is advised that a pre-commencement check of the development site and immediate surroundings should be provided by the ECoW. **Prior to any work re-commencing.**

Ecological Receptor	Impacts, Issues & Rationale	Action Required
Amphibians continued	Great crested newts are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) Careful management and avoidance of harm to other amphibian species is generally regarded as a matter of good working practice.	**Advice (mitigation):** It is advised that all personnel involved in development works should be carefully advised about amphibians by the ECoW, so that all works are undertaken with a clear understanding about legal aspects, precautions to be adopted and what to do if an amphibian is found. **Prior to development.** **Advice (mitigation):** It is advised that all potentially disturbing and damaging activities (as regards amphibians) should be carried out carefully by hand, under the close supervision of the ECoW. This should include cutting of vegetation and careful hand searching immediately prior to any excavations or other ground disturbance. **During development** **Advice (mitigation):** Excavation works required within the development will be covered overnight to prevent amphibians falling in and becoming trapped. Alternatively, a suitable ramp will be provided or the excavation edges battered to allow trapped animals to escape. **During development** **Advice (mitigation):** It is advised that if any amphibian species is found at any time, work must stop until advice has been sought from the ECoW. If the works will affect these amphibian species, precautionary measures will be required and suitable mitigation put in place. **At any time**
Reptiles	There are **potential** impacts to reptiles as a result of the development	**Advice (mitigation): I**t is advised that a pre-commencement check of the development site and immediate

Ecological Receptor	Impacts, Issues & Rationale	Action Required
Reptiles continued	Reptiles (e.g. grass snake, slow worm and common lizard) could be present on the development site and/or adjacent areas at any time. Under the Wildlife and Countryside Act 1981 (as amended), common lizard, slow worm and adder are protected against intentional or reckless killing and injury Careful management and avoidance of harm to other reptile species is generally regarded as a matter of good working practice.	surroundings should be provided by the ECoW. **Prior to any work re-commencing.** **Advice (mitigation):** It is advised that all personnel involved in proposed development works should be carefully advised about reptiles by the ECoW, so that all works are undertaken with a clear understanding about legal aspects, precautions to be adopted and what to do if a reptile is found. **Prior to development** **Advice (mitigation):** It is advised that all potentially disturbing and damaging activities (as regards reptiles should be carried out carefully by hand, under the close supervision of the ECoW. This should include cutting of vegetation and careful hand searching immediately prior to any excavations or other ground disturbance. **During development** **Advice (mitigation):** Excavation works required within the development will be covered overnight to prevent reptiles falling in and becoming trapped. Alternatively, a suitable ramp will be provided or the excavation edges battered to allow trapped animals to escape.**During development** **Advice (mitigation):** It is advised that if any reptile species is found at any time, work must stop until advice has been sought from the ECoW. If the works will affect these reptile species, precautionary measures will be required and suitable mitigation put in place. **At any time.**

Ecological Receptor	Impacts, Issues & Rationale	Action Required
Badger	There are **potential** impacts to badgers as a result of the development Badgers could be present on and/or immediately adjacent to the development site at any time. Under the Protection of Badgers Act 1992, it is an offence to: 1. Wilfully kill, injure, take or attempt to kill, injure or take a badger; 2. Interfere with a badger sett by: - damaging a sett or any part thereof; - destroying a sett; - obstructing access to a sett; - 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	**Advice (mitigation):** It is advised that a pre-commencement check of the development site and immediate surroundings should be provided by the ECoW. **Prior to any work re-commencing.** **Advice (mitigation):** It is advised that all personnel involved in the development works should be carefully advised about badgers by the ECoW, so that all works are undertaken with a clear understanding about legal aspects, precautions to be adopted and what to do if a badger is found. **Prior to development.** **Advice (mitigation):** Excavation works required within the development will be covered overnight to prevent badgers falling in and becoming trapped. Alternatively, a suitable ramp will be provided or the excavation edges battered to allow trapped animals to escape. **During development** **Advice (mitigation):** It is advised that if a badger is found at any time, work must stop until advice has been sought from the ECoW. If the works will affect badgers, precautionary measures will be required and suitable mitigation put in place. **At any time.**
Nesting birds	There are **predicted** impacts to nesting birds during the bird nesting season (February and September). Under the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed,	**Advice (mitigation):** It is advised that the most appropriate way to address the risk to nesting birds is: Avoid disturbance to the vegetation during the nesting season. Or

Ecological Receptor	Impacts, Issues & Rationale	Action Required
Nesting birds continued	injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. There is no provision under the Wildlife and Countryside Act 1981 (as amended) for licensing the disturbance nesting birds or the destruction of nests which are in use for the purpose of development. If enforcement action were taken the developer would need to rely on the 'incidental result of an otherwise lawful operation' defence if it were not possible to avoid an offence being committed. This defence can only be tested in court and it is therefore important to ensure all possible mechanisms for avoiding an offence are considered.	If works cannot be delayed the proposed work area should be carefully checked, immediately prior to works commencing. Checks should be carried out the ECoW. If the risk of nesting birds remains, then monitoring for nesting bird activity should continue for the duration of works. **Prior to any work commencing (checks) and throughout works in nesting season** **Advice (mitigation):** If works are to be undertaken during the nesting season, all people working at the development site should attend a toolbox talk delivered by the ECoW, to be made aware of the likelihood of encountering nesting birds and how to identify them, the legal protection of nesting birds and their own responsibilities as regards implementation of precautionary measures. **Prior to any work commencing.** **Advice (mitigation):** If birds are found to be nesting within or in close proximity to the work area during works, it will be necessary to stop and establish an exclusion area. The extent of the exclusion area, which should be determined the ECoW, will depend on the bird species and the nature of the works. **At all times.** **Recommendation(enhancement):** New bird nesting features e.g. a minimum of 2 hole fronted bird boxes should be installed on suitable trees within an appropriate location e.g. conservation area as described in Table 2. **Post development.**

Ecological Receptor	Impacts, Issues & Rationale	Action Required
Nesting birds continued		**Recommendation(enhancement):** Provision for barn owls should also be made as part of the scheme. Barn owl box specification and installation should comply with information provided by The Barn Owl Trust Barn Owl nestboxes: Free owl nest box plans (barnowltrust.org.uk) **Prior to and during works**
Species of Principal Importance	There are **potential** impacts to common toad, hedgehog and Brown hare These species are listed as Species of Principal Importance under NERC Act 2006.	**Advice (mitigation):** All personnel involved in the proposed development should be made aware of the likelihood of encountering common toad, hedgehog and Brown hare how to identify these animals. **Prior to the development.** **Advice (mitigation):** In order to minimise impacts to these species, potential sheltering features that are likely to be affected by the development, including areas of vegetation and stones, should be removed carefully by hand, avoiding where possible the hibernation period (October to March). **During development.** **Advice (mitigation):** Any common toads and/or hedgehogs encountered should be carefully moved to a safe area of suitable habitat, which should then remain undisturbed. **At all times.**

Ecological Receptor	Impacts, Issues & Rationale	Action Required
Non-native invasive plant species	There are potential impacts in relation to spread of Himalayan balsam. Himalayan balsam is occasional to locally abundant in areas close to the development site, and in other areas throughout the Wild Boar Park estate. The works will involve an amount of disturbance which could result in the spread of Himalayan balsam which is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). Section 14(2) of the Wildlife and Countryside Act 1981(as amended) prohibits 'planting' or 'causing to grow' in the wild of any plant listed in Part 2 of Schedule	**Advice (mitigation):** As a precaution, all people working at the site should be made aware of the legal issues associated with non-native invasive species and their own responsibilities as regards implementation of precautionary measures. **Prior to any work commencing.** **Advice (mitigation):** Precautionary measures should include a method statement and work procedures to avoid further spread of the species and contamination of areas on adjacent land as a result of the activities on the proposed work area. **At all times** **Advice (mitigation):** Minimise all disturbing activities, disturbance and movement of infected soils at all times and restrict all movements tracking through infected areas with schedule 9 species on foot or with machinery. **At all times**

Table 3. Species Impacts and Action

Compliance with the actions outlined in the Tables above will help to offset loss, damage and disturbance to habitats and to avoid committing offences in relation to protected species.

Precautionary measures such as those listed above are generally regarded by Statutory Bodies, Local Planning Authorities and Professional Ecologists as being appropriate where there is a risk of protected species (i.e. bats and nesting birds) being present but further investigative surveys are not required prior to development works.

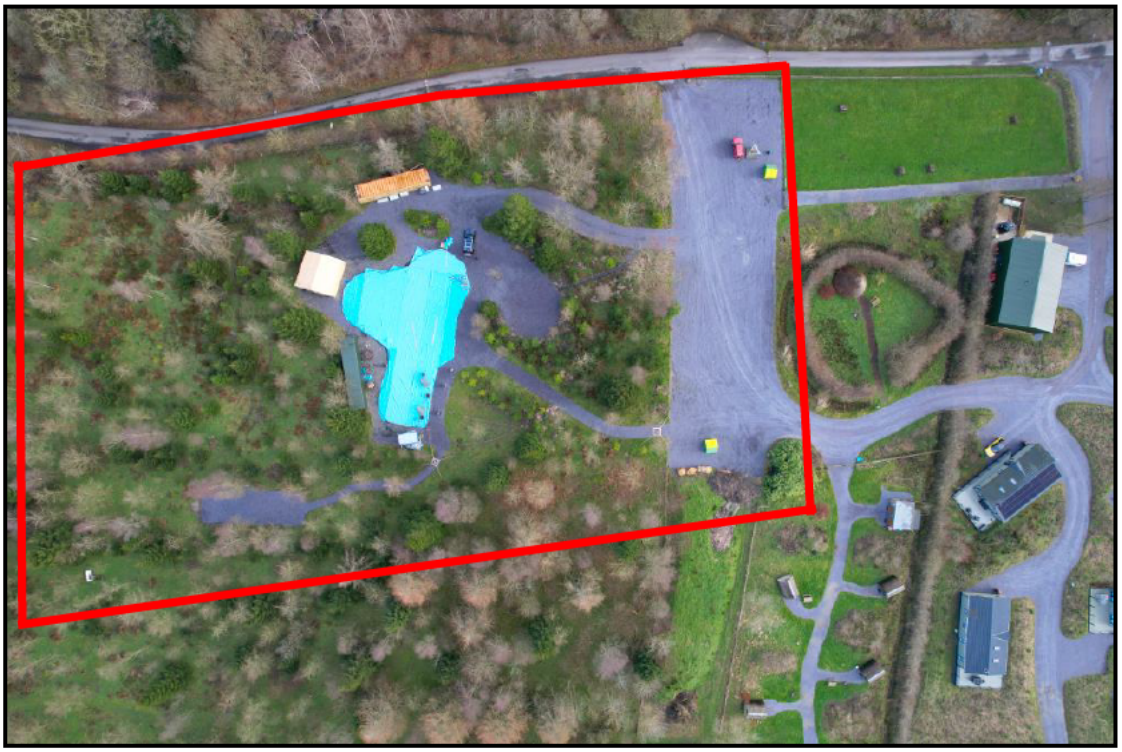
Providing *ecology* support for *everyone*

If you require any further ecological advice or guidance in relation to the proposed works, please do not hesitate to contact me.

Yours sincerely

[redacted]

Janette Gazzard MCIEEM
Senior Ecologist
Ecology Services UK Ltd
[redacted]



Aerial image of development site with indicative development site boundary in red

Image showing shale chipping pathway with retained plantation trees either side

Image showing metal container (proposed toilet block) along the north boundary of the development site

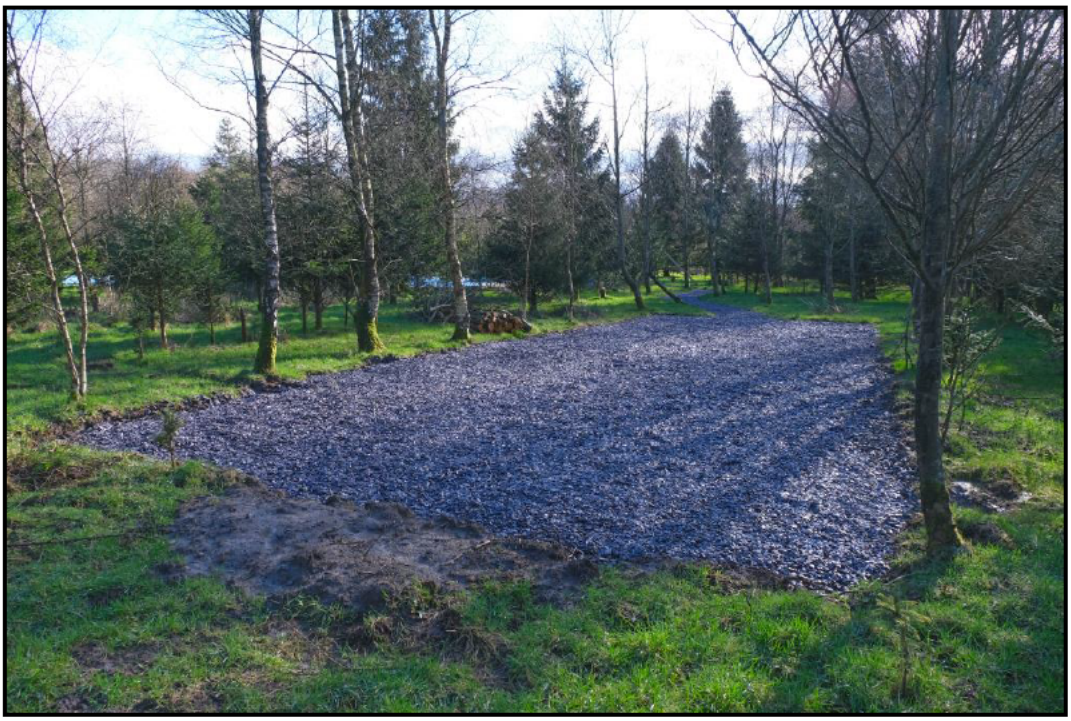
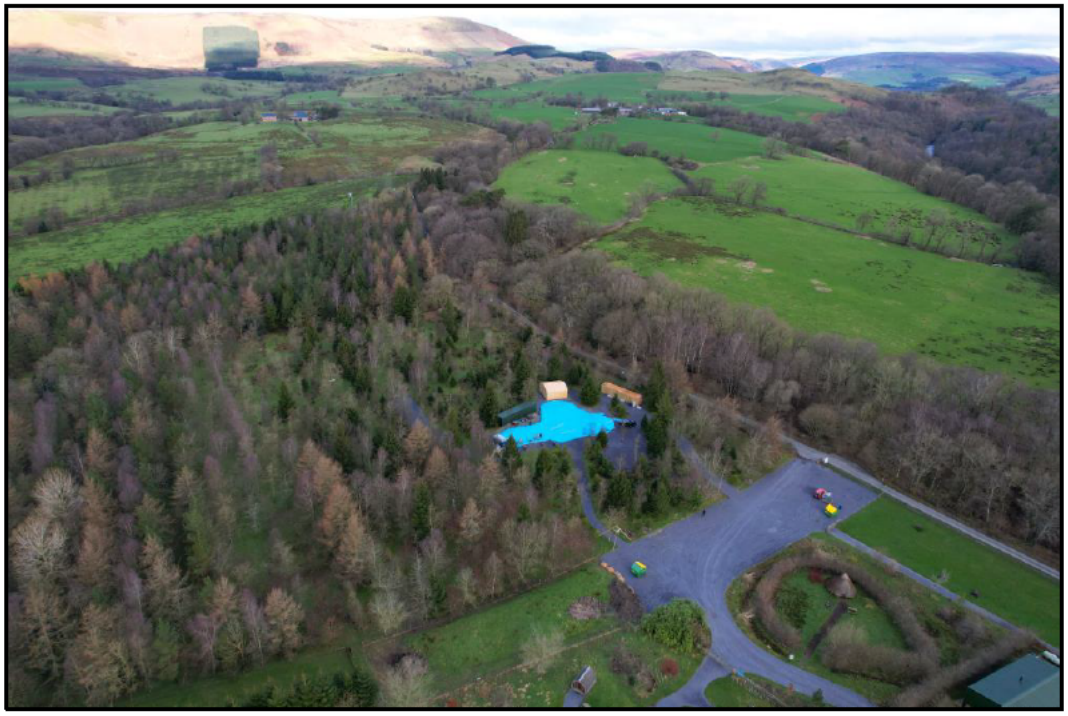


Image showing proposed outside ceremony area, located along south west boundary of the development site

Image showing west boundary with proposed external catering marquee in the background



Aerial image showing development site in context. BHS is to the immediate north and plantation woodland lies to the immediate west and south

Image showing typical example of plantation woodland located to the west of the development site. Indication of the habitat character and condition of what the development site would have been prior to clearance or other development works