Evelyn ECOLOGY

Preliminary Ecological Appraisal

Carr Hall, Whalley Road, Wilpshire

CHWR-EVE-RP-ECO-01

DECEMBER 2025

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Preliminary Ecological Appraisal

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Executive Summary

Evelyn Ecology Limited was instructed by Bramley - Pate + Partners Ltd to undertake a Preliminary Ecological Appraisal (PEA) at Carr Hall, Whalley Road, Wilpshire, Blackburn, BB1 9LJ

The c. 1.89 ha plot lies within an established industrial setting and comprises closely mown modified grassland, ornamental hedgerows and scattered young trees, a small artificial water feature, ephemeral vegetation on disturbed ground, and industrial developed land including buildings and extensive hardstanding.

The Site lies within the wider SSSI Impact Risk Zone for designated sites in Lancashire; however, the small-scale nature of the proposals and the lack of direct or functional hydrological linkage mean that Natural England consultation is not triggered and no significant effects on statutory designated sites are anticipated. The nearest non-statutory site is Dean Clough Reservoir, located approximately 0.81 km to the south. Given the separation distance, the intervening industrial and urban land and the implementation of standard pollution prevention measures, no direct or significant indirect effects on this designation are expected.

Confirmed ecological considerations relevant to the proposed development at Carr Hall comprise:

- Loss of a small area of low value, closely mown modified grassland (G1) and five small silver birch trees (T1 – T5) within an active industrial yard.
- Presence of the non-statutory Dean Clough Reservoir approximately 0.81 km to the south, albeit with no direct land-take but potential hydrological impact pathways.
- Proximity of Carr Hall Wood Ancient Woodland and a downstream Lowland Fen Priority Habitat, with a potential hydrological/pollution pathway via the on-site drainage network and water feature (P1), albeit with a low risk of significant effect subject to standard mitigation.
- Presence of five off-site ponds within 500 m of the Site and potential for great crested newt.
- Low suitability but potential occasional use of on-site habitats by common nesting birds and hedgehog.

Based on current baseline conditions and the scope of the proposed works, no additional ecological surveys are considered necessary at this stage.

The following avoidance, mitigation and enhancement measures will be implemented to ensure compliance with the mitigation hierarchy, wildlife legislation and planning policy:

- Protect retained trees and ornamental hedgerows in accordance with BS 5837:2012, using appropriate protective fencing and exclusion of construction activities from root protection areas.
- Undertake any removal of trees or other vegetation with nesting potential outside the main bird breeding season (March–August inclusive) or following a pre-works nesting bird check by a suitably qualified ecologist, with any active nests retained in situ until young have fledged.
- Prepare and implement a Construction Environmental Management Plan (CEMP) incorporating standard pollution prevention and surface-water management measures to protect the adjacent wooded valley and watercourse, the downstream Lowland Fen Priority Habitat and Dean Clough Reservoir, and to avoid deterioration in water quality or hydrological changes that could affect Carr Hall Wood Ancient Woodland and any associated riparian species.
- Implement proportionate Precautionary Working Methods (PWMs) for great crested newt during soil stripping and vegetation clearance, including toolbox talks, staged vegetation cuts, management of excavations and stored materials, and a clear stop-work/seek-ecologist protocol if a GCN is encountered.
- Avoid new external lighting where possible and where lighting is required, design it in accordance with bat- and wildlife-sensitive principles (e.g. directional, low-spill luminaires, warm colour temperatures, and maintenance of dark corridors along the wooded valley and watercourse).

Subject to the implementation of the above measures, there are no overriding ecological constraints to the proposed development at Carr Hall, Whalley Road. The scheme is considered capable of proceeding in full compliance with relevant wildlife legislation and national and local planning policy

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1 INTRODUCTION

1.1 Background

1.1.1 Evelyn Ecology Ltd was instructed by Bramley - Pate + Partners Ltd to undertake a Preliminary Ecological Appraisal at Carr Hall, Whalley Road, Wilpshire, Blackburn, BB1 9LJ (hereafter referred to as "the Site"). This report sets out the findings in relation to the proposed development, which comprises the loss of modified grassland and five small trees which is to be replaced with a hardstanding area, cabin and weighbridge (hereafter referred to as "the proposed development"). The Proposed Plan showing the indicative proposed development is provided in Appendix A.

1.1.2 A Biodiversity Net Gain Plan (Evelyn Ecology, 2025) has been undertaken as part of this planning application and should be read in conjunction with this report.

1.2 Site Location and Landscape Context

1.2.1 The Site is located at National Grid Reference SD 70016 33204 and has an area of approximately 1.89ha comprising frequently mown modified grassland, ornamental hedgerows and scattered trees, a small artificial water feature, ephemeral vegetation on disturbed ground, and industrial developed land including buildings and extensive hardstanding.

1.2.2 The wider landscape around the Site comprises the semi-rural northern edge of Blackburn, with the residential settlement of Wilpshire extending along Whalley Road and a mix of gardens, tree-lined streets, small blocks of woodland, golf course/amenity grassland and pastoral farmland. Beyond the immediate built-up area, the land falls into a series of wooded valleys associated with minor watercourses and small reservoirs.

1.3 Scope

1.3.1 This report describes the baseline ecological conditions at the Site and evaluates habitats within the survey area in the context of the wider environment. It also assesses the suitability of those habitats for notable and protected species, identifies potential ecological constraints arising from the proposed development, and summarises requirements for further surveys and mitigation. The report provides recommendations to ensure compliance with wildlife legislation and relevant planning policy, and to inform measures that will avoid, mitigate, or compensate for ecological impacts.

1.3.2 To achieve this, the following steps have been taken:

- A desk study to collate existing ecological information.
- A field survey to record baseline habitats on Site and assess their suitability for notable and protected species.
- Identification of any invasive plant and animal species (including those listed on Schedule 9 of the Wildlife and Countryside Act 1981, as amended).
- Consideration of potential impacts of the proposed development on ecological features of value.
- Recommendations for further surveys and mitigation, where required.
- Identification of opportunities to enhance the Site for biodiversity.

2 LEGISLATION, PLANNING POLICY & STANDING ADVICE

2.1 Legislation

2.1.1 Legislation relating to wildlife and biodiversity of particular relevance to this PEA includes:

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

2.1.2 This above legislation has been addressed, as appropriate, in the production of this report. Further information on the above legislation is provided in Appendix D.

2.2 National Planning Policy

2.2.1 The National Planning Policy Framework (NPPF) requires planning decisions to safeguard and enhance the natural environment, to minimise biodiversity impacts, and to deliver measurable gains in biodiversity (Chapter 15).

2.2.2 From 12 February 2024, the mandatory Biodiversity Net Gain (BNG) regime applies to qualifying development proposals in England. Applicants must submit biodiversity metrics and demonstrate net positive outcomes unless exempt.

2.3 Local Policy

2.3.1 The statutory development plan for the area includes the Ribble Valley Core Strategy 2008–2028 (Adopted December 2014) and the Housing and Economic Development Plan Document, which together form the Local Development Framework for Ribble Valley and provide the strategic context for development and environmental protection in the borough.

2.3.2 Of particular relevance is Key Statement EN4 (Biodiversity and Geodiversity), which seeks to conserve and enhance the borough's biodiversity and geodiversity, avoid the fragmentation and isolation of natural habitats, promote green corridors and, as a guiding principle, secure a net enhancement of biodiversity through new development.

2.3.3 These aims are supported by Development Management Policy DME3 (Site and Species Protection and Conservation), which affords protection to statutory and non-statutory wildlife sites, priority habitats and species, requiring that adverse impacts are avoided where possible, otherwise mitigated or, as a last resort, compensated, and that opportunities for habitat restoration and creation are realised as part of development proposals.

3 METHODOLOGY

3.1 Desk Study

3.1.1 The desk study included a review of the magic.gov.uk database for statutory designated sites within a 1 km radius of the Site. Landscape value and the presence of notable habitats as well as granted European Protected Species Licence (EPSL) and notable species records held on magic.gov.uk database have also been considered where these are within influencing distance of the Site.

3.1.2 The Lancashire 'Local Habitat Map' (created to inform the Local Nature Recovery Strategy) was reviewed to identify Areas of Particular Importance for Biodiversity within 1 km of the Site, including locally designated sites, Biological Heritage Sites (Lancashire's most important Local Wildlife Sites) and mapped irreplaceable habitats.

3.1.3 Further online resources were reviewed for information which may aid the identification of important ecological features. Interactive online mapping provided by the charity 'Buglife' was used to determine whether the Site falls within an Important Invertebrate Area.

3.1.4 In accordance with Natural England's Great Crested Newt Mitigation Guidelines (2001), a desktop search was undertaken to identify ponds within 500m of the Site which may have potential to support breeding great crested newts *Triturus cristatus*, using Ordnance Survey (OS) mapping, the MAGIC database and aerial photography.

3.1.5 The Arboricultural Impact Assessment (Evelyn Ecology, 2025) was reviewed to inform this report and the Biodiversity Net Gain assessment.

3.2 Field Survey

3.2.1 The survey was undertaken by Henry Gunning (2017-28633-CLS-CLS, 2022-10860-CL17-BAT & FISC Level 3) on 13/11/2025. The weather conditions at the time of survey were clear.

3.2.2 An extended habitat survey was undertaken, following the methodology set out in The UK Habitat Classification Habitat Definitions Version 2.0 (The UK Habitat Classification Working Group, July 2023).

3.2.3 Results of the UKHab survey are presented on the Habitats Plan in Appendix B. Photographs of all habitat features are presented in Appendix C.

3.3 Building Inspection

3.3.1 External elements of the building were inspected from ground level and, where accessible, at close range to identify potential roosting features or signs of bat use. Particular attention was given to typical access and sheltering points including roof and ridge tiles (including any lifted or vented tiles and gaps beneath the underlay or felt), lead flashing, verges, eaves, soffits, barge and fascia boards, boxed soffits and air vents. Other features examined included cracks or voids within brickwork and mortar joints, gaps behind cladding, around window and door heads or sills, service penetrations, grills, vents and any accessible loft or roof voids.

3.3.2 The potential suitability of buildings to support roosting bats is classified in accordance with Bat Conservation Trust (BCT) guidance, as summarised in Table 1 below.

Table 1: Features of a building that are correlated with use by bats

Classification	Feature of building and its context
High	Buildings or structures with features of particular significance for larger numbers of roosting bats e.g. mines, caves, tunnels, icehouses and cellars. Habitat on site and surrounding landscape of high quality for foraging bats e.g. broadleaved woodland, tree-lined watercourses and grazed parkland. Site is connected with the wider landscape by strong linear features that would be used by

	commuting bats e.g. river and or stream valleys and hedgerows. Site is proximate to known or likely roosts (based on historical data). Buildings with high suitability could support roosts of high conservation value such as maternity or hibernation roosts.
Moderate	Buildings or structures with one or more features suitable for more regular roosting due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation value such as maternity or hibernation roosts. Continuous habitat connected to the wider landscape which could be used by bats for commuting such as lines of trees, linked gardens. Foraging habitat in the surrounding area such as trees, scrub, grassland or water.
Low	Buildings or structures with one or more features suitable for use sporadically by individual or small numbers of bats. Potential roost features may be suboptimal for reasons such as shallow depth, poor thermal qualities or upwards orientation with exposure to inclement weather or predators. Habitat suitable for foraging in close proximity but largely isolated in the landscape. Or an isolated site not connected by prominent linear features.
Negligible	Unsuitable for use by bats.

3.4 Ground Level Tree Assessment (GLTA)

3.4.1 All on-site and boundary trees were inspected from ground level using close-focus binoculars and a high-powered torch. Each tree was viewed from all safe, accessible angles to identify potential roost features (PRFs), including cavities, woodpecker holes, knot holes, tear-out wounds, longitudinal cracks/splits, lifted or flaking bark, dense ivy cover, and hazard beams.

3.4.2 For each PRF, the height, aspect/orientation and condition were recorded, together with contextual factors (shelter from weather/predators, shading, and connectivity to foraging/commuting habitat). Photographs were taken of key features.

3.4.3 PRFs were assigned to categories in line with current Bat Conservation Trust guidance, applied using professional judgement as described in Table 2 below.

Table 2: Ground level tree assessment criteria

Suitability	Description
PRF-I	Feature is only suitable for individual bats or very small numbers of bats, typically because of limited size/depth, exposure, or sub-optimal surrounding habitat.
PRF-M	Feature is suitable for multiple bats and may therefore be used by a maternity colony; typically deeper, well-sheltered features offering stable conditions and good landscape connectivity.

3.4.4 Tree locations and references were mapped relative to Arboricultural Impact Assessment.

3.5 Limitations

3.5.1 The presence of protected / notable species within 1 km cannot be established without biological records data from Lancashire Environmental Records Network (LERN). However, it is considered unlikely that such protected / notable species would be impacted due to the small scale of development and the urban environment within which the Site sits.

4 BASELINE ECOLOGICAL CONDITIONS

4.1 Designated Sites

4.1.1 No statutory designated sites were identified within a 1 km radius of the Site during the review of MAGIC.

4.1.2 The Site falls within Natural England's SSSI Impact Risk Zone (IRZ) for the Harper Clough and Smalley Delph Quarries SSSI, but the proposal is a small-scale hardstanding area and does not meet any IRZ trigger categories. On this basis, formal consultation with Natural England is not required, although the LPA may consult at its discretion.

4.2 Non-statutory Designated Sites

4.2.1 One Biological Heritage Site (BHS) was identified on the Lancashire Local Habitat Map within 1 km of the Site:

- Dean Clough Reservoir 0.81 km south-east of the Site.

4.3 Ancient Woodland

4.3.1 A review of the Lancashire Local Habitat Map indicates that the north-eastern woodland parcel for Carr Hall Wood is designated as an ancient woodland irreplaceable habitat. The ancient woodland parcel sits approximately 16 m east of the Site access road at its closest point. MAGIC also allocates this parcel as 'Ancient Replanted Woodland'.

4.4 Habitats and Flora

4.4.1 A review of the MAGIC Priority Habitat Inventory (PHI) indicates an area of Lowland Fens approximately 0.24 km east of the Site. This habitat appears to be hydrologically connected to the Site via a small watercourse running from the water feature situated on-site (P1).

4.4.2 In addition to the ancient woodland mentioned above, the remaining areas of Carr Hall Wood are designated deciduous woodland.

4.4.3 The following habitat codes are present within and adjacent to the Site. The habitat parcel reference illustrated in the Baseline Habitats Plan in Appendix B is also provided:

- g4 – Modified grassland (G1 & G2)
- h2b – Non-native and ornamental hedgerow (H1 & H2)
- ub1 Developed land; sealed surface (DL1)
- Urban tree (T1 – T8)

Modified Grassland

4.4.4 Grassland habitats across the Site are limited in extent and ecological value, comprising two small parcels of closely managed, modified grassland. G1, located along the access road corridor, consists of frequently mown amenity-type sward with very low structural diversity. Species noted included perennial rye-grass *Lolium perenne* daisy *Bellis perennis*, creeping thistle *Cirsium arvense*, dandelion *Taraxacum officinale* agg., clover *Trifolium spp*., creeping buttercup *Ranunculus repens*, ragwort *Jacobaea vulgaris*, and patches of moss, all maintained in an extremely short state due to regular mowing. This grassland is uniform, species-poor and typical of intensively managed amenity areas and is proposed to be partly lost to the development.

4.4.5 G2, a second grassland strip, which displays similar characteristics and management, comprising very closely mown lawn with scattered, diminutive wildflower and ruderal species suppressed through regular cutting.

4.4.6 Both grassland parcels provide negligible wildlife value and function predominantly as decorative or low-maintenance managed surfaces within the industrial setting.

Non-native Ornamental Hedgerow

4.4.7 Two lengths of formal ornamental hedge (H1 and H2) composed of *Lonicera nitida* are present, with regularly spaced silver birch *Betula pendula* and rowan *Sorbus aucuparia* trees incorporated into the planting. These features provide limited ecological function, being tightly managed, largely ornamental, and structurally simple.

Scattered Trees

4.4.8 Tree cover within the proposed development footprint is similarly limited, with five small silver birch trees situated within the G1 grassland area. These five trees are scheduled for removal. These are young, small individuals offering minimal canopy structure and negligible potential for roosting bats or cavity-dependent fauna. A small number of ornamental and coniferous trees are also present elsewhere along the landscaped access route, including T8 (spruce set within a planter oversailing low ornamental grasses), T7 (spruce with similar understory), and T6 (a Leyland cypress × *Cuprocyparis leylandii*, again oversailing ornamental grasses).

Pond

4.4.9 A small artificial water feature, labelled P1, is located near the access road where a constant flow of water enters from a northwestern pipe. Although not a natural pond, the feature supports a range of semi-aquatic and ruderal vegetation. Marginal and emergent species recorded include bulrush *Typha* sp., waterlilies, pondweed and willowherb, while a single self-seeded multi-stem alder *Alnus glutinosa* approximately 4 m tall has established at the edge of the feature. The shallow rocky margins contain crevices supporting harts-tongue fern *Asplenium scolopendrium* and various ruderal plants such as herb Robert *Geranium robertianum*, nettle *Urtica dioica* and dock *Rumex*.

Ruderal / Ephemeral

4.4.10 A small area of ephemeral vegetation (Eph1) occurs at the southern edge of the car park, where loose aggregate supports a scattered assemblage of opportunistic species including forget-me-not *Myosotis* spp, herb Robert, willowherb *Epilobium* spp, shepherd's purse *Capsella bursa-pastoris* and couch grass *Elymus repens*. This habitat is very limited in extent and typical of disturbed ground within an active industrial setting.

Developed Land; sealed surface

4.4.11 Typical urban habitats are present, including sealed surfaces and buildings within Carr Hall.

Invasive Plants

4.4.12 No Schedule 9 invasive plants were recorded within the red line.

4.5 Fauna

Amphibians

4.5.1 The desk study returned no great crested newt (GCN) *Triturus cristatus* class licence returns or EPS mitigation licences within 1 km of the Site.

4.5.2 A review of aerial imagery and Ordnance Survey mapping identified five ponds within 500 m of the Site. The closest pond is situated approximately 26 m south of the Site, with a second pond located approximately 288 m to the south. The remaining three ponds are located over 400 m from the Site and close to the outer extent of the 500 m search buffer.

4.5.3 Although the on-site water feature has been mapped as a 'pond', site inspection confirmed that it comprises continuously flowing water and is therefore unlikely to provide suitable breeding habitat for great crested newt. In addition, the feature is predominantly bounded by stone walls, which substantially limit opportunities for amphibian access and dispersal.

4.5.4 On-site habitats comprise closely mown lawn, scattered trees, ornamental hedgerows and areas of hardstanding. These provide some limited terrestrial cover and potential refugia for great crested newt (e.g. within shrub bases and small rough margins). However, in the absence of suitable on-site breeding habitat, and given the predominantly industrial, heavily managed nature of the Site and its surroundings, the overall suitability of terrestrial habitats for great crested newt is considered to be

low.

4.5.5 Notwithstanding the low on-site habitat suitability, the presence of several off-site ponds within 500 m, including one within 50 m of the Site, means that great crested newt cannot be completely ruled out as a potential receptor. Great crested newt is therefore scoped in for further consideration at the evaluation stage.

Reptiles

4.5.6 No rare reptile EPSLs were identified within 1km of the Site during the desk study.

4.5.7 On-site habitats comprise frequently mown and regularly disturbed grassland and sealed surfaces, all of which are sub-optimal for reptiles. There are no areas of rough grassland, unmanaged verge, or other suitable refuge features present. Consequently, reptiles are considered unlikely to occur within the Site and have been scoped out of further assessment.

Bats

4.5.8 The desk study identified no bat European Protected Species Licence within 1 km of the Site

4.5.9 The Site is dominated by industrial/agricultural buildings, extensive areas of hardstanding and closely managed amenity-type grassland, with only limited ornamental planting. The buildings appear to comprise modern or relatively modern structures typical of an industrial estate and are therefore considered unlikely to support significant bat roosting opportunities, with limited potential for features such as lifted tiles, gaps at eaves or traditional roof voids. Tree cover within the Site is sparse and ornamental in character, including small silver birch, spruce and Leyland cypress associated with formal landscaping, none of which display obvious features such as fissures, cavities or deadwood limbs that would typically be associated with bat roosts. Ornamental hedgerows and shrub beds provide only low levels of structural diversity, and the amenity grassland is very closely mown, further reducing invertebrate abundance and foraging interest.

4.5.10 A small artificial water feature near the access road is fed by a constant inflow from a road drain and is largely enclosed by stone walls and rock armour. Although this waterbody may generate some localised invertebrate interest and hence limited foraging potential, water quality appears poor and the feature is tightly constrained by hard engineering, so it is unlikely to function as a significant bat foraging resource or commuting route. Overall, the Site as a whole is assessed as providing negligible potential for roosting bats and low-quality, highly disturbed habitat for foraging and commuting bats, reflecting the heavily managed, built-up and illuminated nature of the land within the red line.

4.5.11 In contrast, the wider landscape includes more suitable bat habitat, particularly the wooded valley and associated watercourse located immediately to the east of the Site, beyond the retaining wall and access road. This corridor of semi-natural woodland and linear water habitat is likely to function as an important commuting and foraging route for local bat populations, offering sheltered flyways, darker conditions and elevated invertebrate densities compared to the industrial estate. Beyond the immediate industrial area, the landscape comprises a mixture of built development, transport infrastructure and more open land, with patches of trees, hedgerows and other green infrastructure that will provide additional foraging and commuting habitat of at least moderate value.

Badger

4.5.12 The habitats on-site offer very limited opportunities for sett construction and only small pockets of low-quality foraging habitat. No evidence of badger *Meles meles* (such as setts, latrines, dung pits, hairs, prints or well-worn paths) was recorded during the survey. The adjacent wooded valley and watercourse to the east provide more suitable foraging and commuting habitat; however, this lies outside the Site boundary. Overall, the Site is assessed as providing negligible suitability for badger and is unlikely to form an important part of any local badger territory.

4.5.13 As on-site habitats are of negligible value to badger and no setts or field signs were recorded, the risk of direct harm, sett loss or significant reduction in foraging resource is considered to be very low. Any impacts on badger are therefore assessed as negligible.

Riparian Mammals

4.5.14 The Site itself provides negligible suitability for otter *Lutra lutra* and water vole *Arvicola amphibius*. On-

site habitats are dominated by industrial buildings, hardstanding and closely mown amenity grassland with only small pockets of ornamental planting. The artificial water feature within the Site (P1) comprises a small, hard-engineered basin or channel fed by a road drain, with poor water quality, steep stone sides and very limited natural banks. As such, it is considered highly unlikely to support either species.

4.5.15 Immediately east of the Site, beyond the access road and retaining wall, a wooded valley and watercourse provide more suitable semi-natural riparian habitat. This off-site corridor is likely to offer some potential for otter passage and foraging, and limited potential for water vole where suitable bank structure and vegetation occur. However, the proposed development is confined to the existing industrial envelope, affecting only a small area of closely mown modified grassland and five small trees within the yard, with no works to the watercourse or its banks and no encroachment into the wooded valley. There will therefore be no direct loss, fragmentation or degradation of riparian habitat.

4.5.16 Although on-site suitability for otter and water vole is negligible, both species are scoped in for further assessment at the evaluation stage due to the potential for indirect effects, namely pollution, on the adjacent off-site watercourse.

Hedgehog

4.5.17 The regularly cut grassland and ornamental planting provide only limited foraging and cover opportunities for hedgehog *Erinaceus europaeus* and are subject to frequent disturbance associated with the industrial setting. Hardstanding, buildings and the hard-engineered water feature are of negligible value for this species. Overall, the Site is assessed as providing low suitability for hedgehog, with any use likely to be limited to occasional foraging by individuals moving through the wider landscape.

Birds

4.5.18 The ornamental hedges and scattered trees provide some limited opportunities for nesting by common, disturbance-tolerant bird species, while the grassland and shrub beds offer a low level of foraging habitat. Buildings lack obvious features such as ledges, cavities or open-fronted structures that would significantly increase nesting potential.

4.5.19 Overall, the Site is considered to offer low to moderate suitability for a limited assemblage of common urban and garden birds, with no indication that it supports species of elevated conservation concern.

Invertebrates

4.5.20 The Site does not fall within a designated Important Invertebrate Area.

4.5.21 Habitats present provide nectar, pollen and larval resources for a restricted range of common, generalist invertebrate species typical of urban and industrial settings, but lack structural complexity, species diversity and continuity required to support notable or specialist assemblages. The wider landscape, particularly the off-site wooded valley and watercourse, offers a higher-quality resource, but this lies outside the red line boundary. Overall, the Site is assessed as having low invertebrate interest.

5 EVALUATION

5.1 Likelihood of the Presence of Protected Species

5.1.1 Where physical evidence of the presence of protected species is indeterminate during the survey, the habitats on Site are evaluated as to their likelihood to provide sheltering, roosting, foraging, basking or nesting habitat.

5.2 Evaluation

5.2.1 Considering the findings of the desk study and field survey, Table 3 provides an evaluation of the ecological value of the Site and identifies any ecological constraints relevant to the proposed development. The proposals include the removal of an area of modified grassland and five small trees which will be replaced with hardstanding, cabin and weighbridge.

Table 3: Evaluation of the Site and any ecological constraints

Feature	Impact Assessment	Mitigation and / or Enhancement
Statutory Designated Sites	There are no statutory designated sites within 1 km of the Site. Given the small scale of development and absence of hydrological or disturbance pathways, no impacts are anticipated.	None.
Non-statutory Designated Sites	Dean Clough Reservoir is located approximately 0.81 km south of the Site. There will be no direct land-take or habitat loss from this designation as all works are confined to the existing industrial envelope. Given the separation distance and the intervening built/industrial land, construction noise, visual disturbance and dust are highly unlikely to be detectable at the reservoir and are therefore considered negligible. The only realistic impact pathway is via a potential hydrological connection, whereby runoff or accidental spills during construction could enter the local drainage network and, if connected, ultimately reach the reservoir. MAGIC does not clearly indicate a continuous watercourse link, so any such connection is uncertain. As a result, the risk of significant adverse effects on Dean Clough Reservoir is assessed as very low but cannot be ruled out entirely.	To ensure protection of Dean Clough Reservoir and any other downstream waterbodies, a Construction Environmental Management Plan (CEMP) should be implemented, incorporating: • Standard pollution prevention measures (e.g. appropriate storage of fuels and chemicals, drip trays and designated refuelling areas, spill kits on site, immediate clean-up procedures). • Measures to control sediment and dirty water (e.g. use of silt traps, bunds or settlement facilities; avoidance of direct discharge of untreated runoff to drains or watercourses). • Good housekeeping on site, including regular inspection and maintenance of drainage features during construction. With these measures in place, residual impacts on Dean Clough Reservoir are considered negligible.

Feature	Impact Assessment	Mitigation and / or Enhancement
Ancient Woodland	Carr Hall Wood (Ancient Replanted Woodland on MAGIC and mapped as an irreplaceable ancient woodland habitat on the Lancashire Local Habitat Map) lies approximately 16 m east of the Site access road at its closest point, beyond the existing carriageway and retaining wall. The proposed development is confined to the existing industrial yard on the western side of the access road and will not result in any direct loss, encroachment or change in management of the ancient woodland or its root protection area. Potential indirect effects are limited to a low risk of dust deposition and increased surface-water run-off.	The woodland edge will be treated as an exclusion zone, with construction activities, material storage and vehicle tracking restricted to the existing hardstanding on the western side. A Construction Environmental Management Plan (CEMP) will include standard measures to control dust and manage surface-water run-off to prevent deterioration in water quality within the adjacent wooded valley. Any new external lighting will be designed in accordance with wildlife-sensitive principles to avoid unnecessary light spill onto the woodland edge (e.g. directional luminaires, low mounting heights, warm colour temperatures).
Lowland Fen	The Priority Habitat Inventory identifies an area of Lowland Fen approximately 0.24 km east of the Site, which appears to be associated with the wooded valley and watercourse that receive flows from the on-site water feature (P1). The proposed development will not result in any direct land-take or modification of the fen or its immediate catchment. However, there is a potential hydrological pathway via the on-site drainage network and P1 by which silt-laden run-off or accidental pollution during construction could reach the downstream priority habitat. Given the small footprint of the works, the limited change in impermeable area and the existing industrial context, the magnitude of any unmitigated effect is likely to be low but cannot be entirely discounted.	To ensure protection of the downstream Lowland Fen, a Construction Environmental Management Plan (CEMP) should be implemented, incorporating: • Standard pollution prevention measures (e.g. appropriate storage of fuels and chemicals, drip trays and designated refuelling areas, spill kits on site, immediate clean-up procedures). • Measures to control sediment and dirty water (e.g. use of silt traps, bunds or settlement facilities; avoidance of direct discharge of untreated runoff to drains or watercourses). • Good housekeeping on site, including regular inspection and maintenance of drainage features during construction. With these measures in place, residual impacts on this priority habitat are considered negligible.
Hedgerows	No direct impacts to either of the ornamental hedgerows (H1 and H2) are anticipated, as they lie outside the footprint of the proposed works. Provided they are appropriately safeguarded during construction, the proposals are not expected to result in any loss or degradation of hedgerow habitat, and effects on this resource are therefore assessed as negligible.	The hedgerows should be retained and safeguarded using suitable protective fencing, with no storage of materials, vehicle movements, excavation or changes in ground level permitted within the protected zones, in accordance with BS 5837:2012.
Trees	The proposals require the removal of T1 – T5. Construction-phase risks to retained trees are limited to incidental damage and RPA compaction if protection is not enforced.	Protect retained trees in accordance with BS 5837:2012 using tree protection fencing and exclusion zones. Replace the lost trees with native standards of the same species (i.e. silver birch).

Feature	Impact Assessment	Mitigation and / or Enhancement
Other habitats	The on-site areas of modified grassland are of low ecological value, comprising frequently mown and disturbed sward. This habitat provides limited foraging and cover for protected / notable species. Their loss is therefore considered to represent only a minor ecological impact. However, these habitats have been assessed and valued as per the Biodiversity Net Gain assessment (Evelyn Ecology, 2025).	Currently, the proposals do not provide a 10% biodiversity net gain in line with Chapter 15, paragraph 180 of the NPPF and the Environment Act, 2021 (Evelyn Ecology, 2025). Several measures are available to address the identified biodiversity deficit. These may be implemented individually or in combination to secure the required uplift in habitat units: On-site options • Avoid losses of trees where possible. • Revise the landscape strategy to incorporate additional habitat creation or enhancement, where feasible, though this may require adjustments to the development footprint. Off-site options • Deliver off-site biodiversity units through third-party habitat banks or local landowner agreements. • Engage with Ribble Valley Council or recognised habitat providers to discuss off-site delivery mechanisms. • Explore the use of statutory biodiversity credits as a last resort if no local offsetting opportunities are available. Further details can be found in the Biodiversity Net Gain Plan (Evelyn Ecology, 2025)
Great Crested Newt	Five ponds are present within 500 m of the Site, and it is unknown whether they support breeding great crested newts. However, habitats within the works area (closely mown lawn and compacted soils within an active industrial yard) are highly unsuitable for amphibians and offer very limited cover or foraging opportunities. The proposed works involve only shallow excavations within this low-suitability habitat, and the overall risk of killing or injuring great crested newt during site preparation is therefore considered to be negligible, provided appropriate precautions are adopted.	Adopt proportionate Precautionary Working Methods (PWMs) during soil stripping and vegetation clearance. This will include the following measures: • Toolbox Talk by Project Ecologist to all operatives; RAMS kept on site. • Works in daylight only with a two-stage vegetation cut (to 10–15 cm, 48 hrs pause, then to ground) to allow dispersal. Arisings removed same day. • Materials, spoil and pipes stored on pallets/stands; ends of pipes ≥200 mm diameter capped overnight. • Excavations should be covered nightly or fitted with a roughed timber escape ramp at ≤45°. Morning checks by Site Manager; any amphibians removed to suitable cover. • If a GCN is encountered, stop works, safeguard the animal, call an ecologist and agree method before resuming.

Feature	Impact Assessment	Mitigation and / or Enhancement
Bats	The proposed works will result in the loss of a small area of closely mown amenity grassland and five young silver birch trees of negligible suitability for roosting bats and very limited value for foraging or commuting bats. No buildings or higher value bat features will be affected, and the adjacent wooded valley and watercourse, which provide the main bat foraging and commuting resource in the local area, will be retained outside the development footprint. On this basis, and subject to any new external lighting being designed to avoid light spill onto the woodland and watercourse, the proposals are not considered likely to result in any significant adverse impacts on bats, and no bat-specific mitigation or further survey is considered necessary.	Avoid introducing new fixed lighting near boundary vegetation. If lighting is required, design should follow BCT (2023) guidance and maintain ≤1 lux at the woodland edge/hedgerow and tree lines. Warm-white (<3000 K) luminaires with 0° tilt, flat glass and shielding to prevent light spill onto retained trees and woodland edge.
Badgers	No setts or signs recorded within or adjacent to the Site. The managed lawn and hard surfaces provide negligible sett or foraging opportunities. Disturbance and displacement risks are negligible.	Maintain general good-practice measures during construction: cover or ramp open trenches, secure waste, and avoid unnecessary lighting. No further action required.
Otter and water vole	Potential indirect impacts to otter or water vole are limited to a low risk of pollution or increased surface-water run-off during construction and operation.	These risks can be effectively avoided through standard best-practice CEMP (e.g. appropriate storage of fuels and chemicals, use of silt traps and interceptors, avoidance of direct discharge of contaminated run-off to the watercourse). Provided such measures are implemented, and any new external lighting is designed to avoid unnecessary light spill onto the off-site watercourse corridor, the proposals are not considered likely to result in any significant adverse impacts on otter or water vole, and no species-specific surveys or mitigation for these species are considered necessary.
Hedgehog	The proposals will result in the loss of a small area of closely mown grassland and five small trees of low value to hedgehog, with no effect on higher quality habitats such as the off-site wooded valley and watercourse. Given the limited suitability of the affected habitats, their small extent and the already disturbed, industrial character of the Site, the risk of direct harm to hedgehog or significant loss of foraging/cover habitat is considered to be very low, and any impact on the local hedgehog population is assessed as negligible	No specific measures required. Standard good practice working methods are recommended such as checking stored materials, covering excavations overnight etc. A small log/leaf pile could be created from arisings as additional refuge.

Feature	Impact Assessment	Mitigation and / or Enhancement
Birds	The proposed development will result in the loss of five small trees and a small area of closely mown grassland of limited value for nesting and foraging birds. Ornamental hedgerows and most other planted areas are expected to remain.	Specific bird mitigation is limited to timing and good practice. Any removal of trees or other vegetation with potential to support nesting birds should be undertaken outside the main breeding season (i.e. September–February inclusive). Where this is not practicable, vegetation should be checked by a suitably qualified ecologist immediately prior to clearance, and any active nests retained in situ with an appropriate buffer until young have fledged. No further bird-specific mitigation is considered necessary, although incorporation of replacement tree planting or small areas of ornamental/native shrubs at the landscaping stage would provide minor enhancement for birds. As a further enhancement, the scheme could install a bird nest box on retained trees or on the existing structure, mounted 3–5m above ground, oriented away from prevailing wind and direct night-lighting.

6 CONCLUSIONS

6.1.1 Evelyn Ecology Limited was instructed by Bramley - Pate + Partners Ltd to undertake a Preliminary Ecological Appraisal (PEA) at Carr Hall, Whalley Road, Wilpshire, Blackburn, BB1 9LJ

6.1.2 The c. 1.89 ha plot lies within an established industrial setting and comprises closely mown modified grassland, ornamental hedgerows and scattered young trees, a small artificial water feature, ephemeral vegetation on disturbed ground, and industrial developed land including buildings and extensive hardstanding.

6.1.3 The Site lies within the wider SSSI Impact Risk Zone for designated sites in Lancashire; however, the small-scale nature of the proposals and the lack of direct or functional hydrological linkage mean that Natural England consultation is not triggered and no significant effects on statutory designated sites are anticipated. The nearest non-statutory site is Dean Clough Reservoir, located approximately 0.81 km to the south. Given the separation distance, the intervening industrial and urban land and the implementation of standard pollution prevention measures, no direct or significant indirect effects on this designation are expected.

6.1.4 Confirmed ecological considerations relevant to the proposed development at Carr Hall comprise:

- Loss of a small area of low value, closely mown modified grassland (G1) and five small silver birch trees (T1 – T5) within an active industrial yard.
- Presence of the non-statutory Dean Clough Reservoir approximately 0.81 km to the south, albeit with no direct land-take but potential hydrological impact pathways.
- Proximity of Carr Hall Wood Ancient Woodland and a downstream Lowland Fen Priority Habitat, with a potential hydrological/pollution pathway via the on-site drainage network and water feature (P1), albeit with a low risk of significant effect subject to standard mitigation.
- Presence of five off-site ponds within 500 m of the Site and potential for great crested newt.
- Low suitability but potential occasional use of on-site habitats by common nesting birds and hedgehog.

6.1.5 Based on current baseline conditions and the scope of the proposed works, no additional ecological surveys are considered necessary at this stage.

6.1.6 The following avoidance, mitigation and enhancement measures will be implemented to ensure compliance with the mitigation hierarchy, wildlife legislation and planning policy:

- Protect retained trees and ornamental hedgerows in accordance with BS 5837:2012, using appropriate protective fencing and exclusion of construction activities from root protection areas.
- Undertake any removal of trees or other vegetation with nesting potential outside the main bird breeding season (March–August inclusive) or following a pre-works nesting bird check by a suitably qualified ecologist, with any active nests retained in situ until young have fledged.
- Prepare and implement a Construction Environmental Management Plan (CEMP) incorporating standard pollution prevention and surface-water management measures to protect the adjacent wooded valley and watercourse, the downstream Lowland Fen Priority Habitat and Dean Clough Reservoir, and to avoid deterioration in water quality or hydrological changes that could affect Carr Hall Wood Ancient Woodland and any associated riparian species.
- Implement proportionate Precautionary Working Methods (PWMs) for great crested newt during soil stripping and vegetation clearance, including toolbox talks, staged vegetation cuts, management of excavations and stored materials, and a clear stop-work/seek-ecologist protocol if a GCN is encountered.
- Avoid new external lighting where possible and where lighting is required, design it in accordance with bat- and wildlife-sensitive principles (e.g. directional, low-spill luminaires, warm colour temperatures, and maintenance of dark corridors along the wooded valley and watercourse).

6.1.7 Subject to the implementation of the above measures, there are no overriding ecological constraints to the proposed development at Carr Hall, Whalley Road. The scheme is considered capable of proceeding in full compliance with relevant wildlife legislation and national and local planning policy

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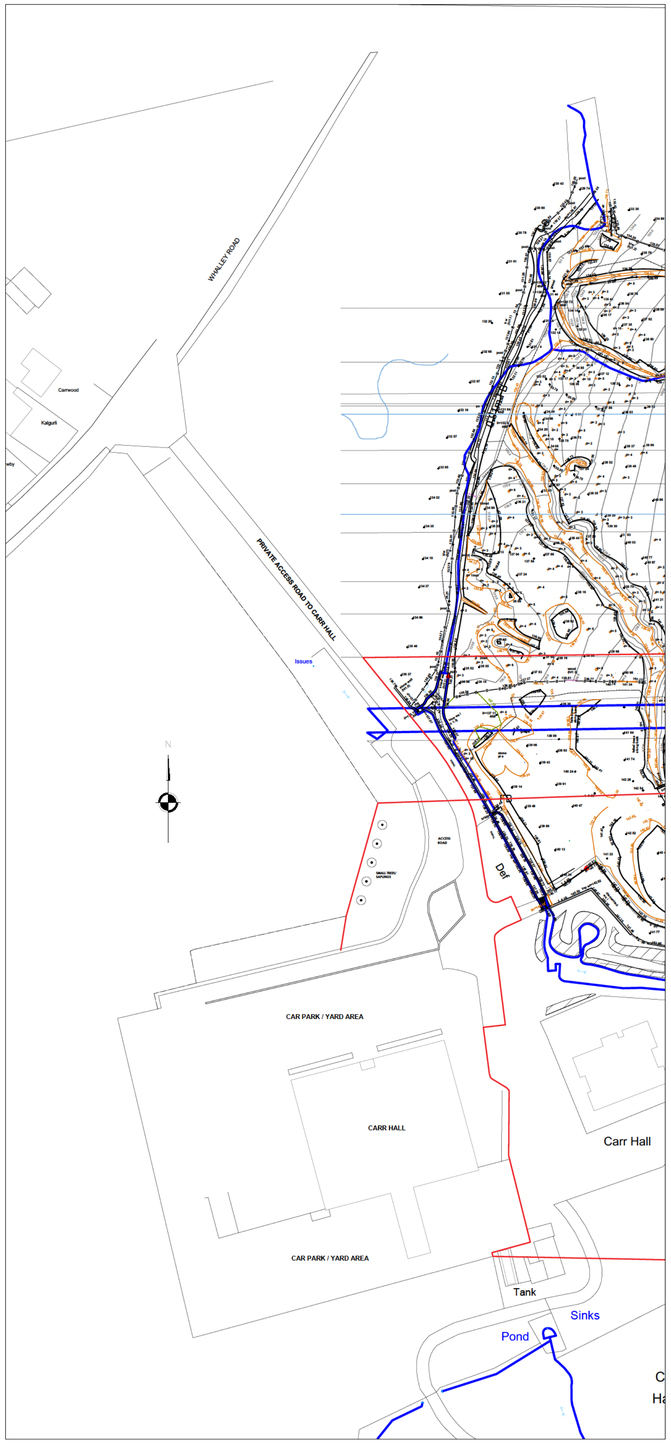
APPENDIX A – Proposed Development



EXISTING SITE PLAN 1.1000 @ A1

1:1000
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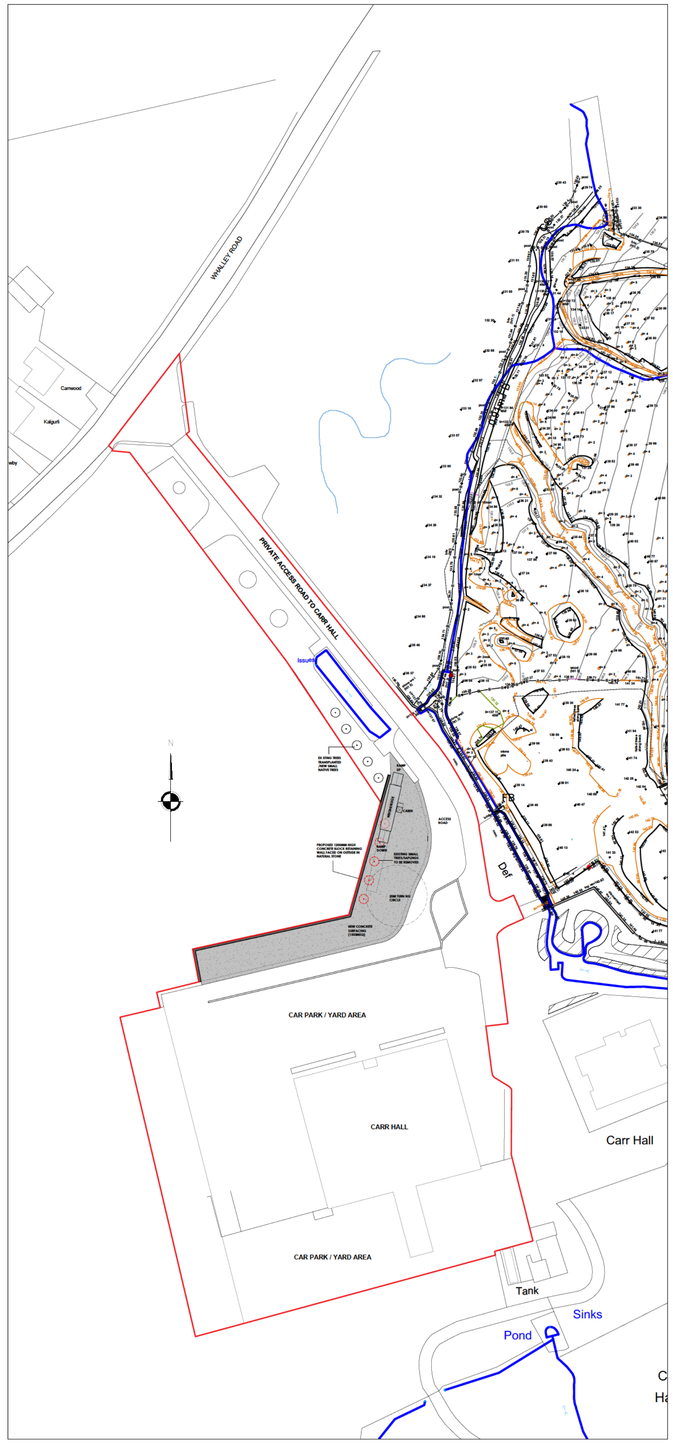

PROPOSED SITE PLAN 1.1000 @ A1

1:1000
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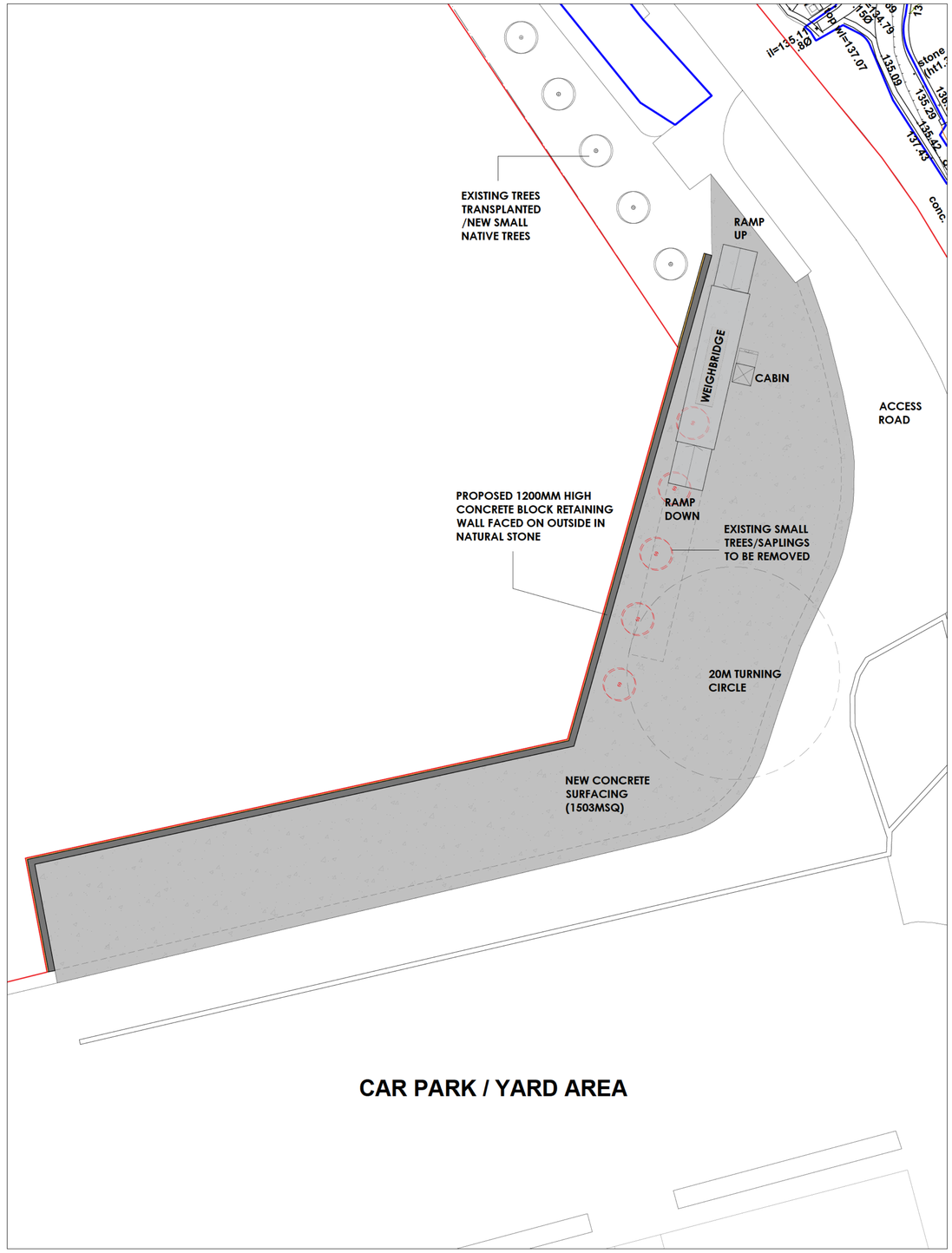

PROPOSED SITE PLAN 1.250 @ A1

1:250
0 5m 10m 15m 20m 25m

BRAMLEY - PATE + PARTNERS
Chartered Architects - Telephone (01772) 335357

Carr Hall, Whalley Road, Wilpshire Blackburn, BB1 9LJ.	27.10.2025
	7125
PROPOSED EXTENSION TO HARDSTANDING, CABIN AND WEIGHBRIDGE	PL.0.01B

APPENDIX B – Baseline Habitats Plan

Legend

- Red Line Boundary
- Developed land; sealed surface
- Modified grassland
- Ponds (non-priority habitat)
- Ruderal/Ephemeral
- Non-native and ornamental hedgerow
- Existing Small Urban Tree

0 50 100 m

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Project	Carr Hall, Whalley Road, Wilpshire	Date	09/12/2025	Drawing No	CHWR-EVE-DR-ECO-01
Drawing Title	Baseline Habitat Plan	Scale	As shown	Revision	01
Client	Bramley - Pate + Partners	Drawn	KK	Checked	HG

APPENDIX C – Photographs

Feature	Photograph
G2 & T8	
T7	
T6	

Feature	Photograph
H1	
P1	
G1 & T1 – T5	

Feature	Photograph
Eph1	
DL1	

APPENDIX D - Legislation and Planning Policy

LEGAL PROTECTION

National and European Legislation Afforded to Habitats

International Statutory Designations

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are sites of European importance and are designated under the EC Habitats Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the EC Birds Directive 2009/147/EC on the conservation of wild birds (the Wild Birds Directive) respectively. Both form part of the wider Natura 2000 network across Europe.

Under the Habitats Directive Article 3 requires the establishment of a network of important conservation sites (SACs) across Europe. Over 1000 animal and plant species, as well as 200 habitat types, listed in the directive's annexes are protected in various ways:

Annex II species (about 900): core areas of their habitat are designated as Sites of Community importance (SCIs) and included in the Natura 2000 network. These sites must be managed in accordance with the ecological needs of the species.

Annex IV species (over 400, including many Annex II species): a strict protection regime must be applied across their entire natural range, both within and outside Natura 2000 sites.

Annex V species (over 90): their exploitation and taking in the wild is compatible with maintaining them in a favourable conservation status.

SPAs are classified under Article 2 of the Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds both for rare bird species (as listed on Annex I) and for important migratory species.

The Conservation of Habitats and Species Regulations 2017 (as amended) form the legal basis for the implementation of the Habitats and Birds Directives in terrestrial areas and territorial waters out to 12 nautical miles in England and Wales (including the inshore marine area) and to a limited extent in Scotland and Northern Ireland.

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and recognises the importance of wetland ecosystems in relation to global biodiversity conservation. The Convention refers to wetlands as "*areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres*". However, they may also include riparian and coastal zones. Ramsar sites are statutorily protected under the Wildlife & Countryside Act 1981 (as amended 01.04.1996) with further protection provided by the Countryside and Rights of Way (CRoW) Act 2000. Policy statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites. The Government in England and Wales has issued policy statements which ensure that Ramsar sites are afforded the same protection as areas designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs). Further provisions for the protection and management of SSSIs have been introduced by the Nature Conservation (Scotland) Act 2004.

National Statutory Designations

Sites of Special Scientific Interest (SSSI) are designated by nature conservation agencies in order to conserve key flora, fauna, geological or physio-geographical features within the UK. The original designations were under the National Parks and Access to the Countryside Act 1949 but SSSIs were then re-designated under the Wildlife & Countryside Act 1981 (as amended). As well as reinforcing other national designations (including National Nature Reserves), the system also provides statutory protection for terrestrial and coastal sites which are important within the European Natura 2000 network and globally.

Local Statutory Designations

Local authorities in consultation with the relevant nature conservation agency can declare Local Nature Reserves (LNRs) under the National Parks and Access to the Countryside Act 1949. LNRs are designated for flora, fauna or geological interest and are managed locally to retain these features and provide research, education and recreational opportunities.

Non- Statutory Designations

All non-statutorily designated sites are referred to as Local Wildlife Sites (LWS) and can be designated by the local authority for supporting local conservation interest. Combined with statutory designation, these sites

are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved.
Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

The Hedgerow Regulations 1997
The Hedgerow Regulations 1997 are designed to protect 'important' countryside hedgerows. Importance is defined by whether the hedgerow (a) has existed for 30 years or more; or (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations.
Under the Regulations, it is against the law to remove or destroy hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys without the permission of the local authority. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are excluded.

National and European Legislation Afforded to Species
The Conservation of Habitats and Species Regulations 2017 (as amended)
The Conservation of Habitats and Species Regulations 2017 (as amended) aim to promote the maintenance of biodiversity by requiring the Secretary of State to take measures to maintain or restore wild species listed within the Regulations at a favourable conservation status.
The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for several purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild population of the species concerned.

The Wildlife and Countryside Act (WCA) 1981 (as amended)
The Wildlife and Countryside Act (WCA) 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1979, implemented 1982) and implements the species protection requirements of EC Birds Directive 2009/147/EC on the conservation of wild birds in Great Britain (the birds Directive). The WCA 1981 has been subject to several amendments, the most important of which are through the Countryside and Rights of Way (CRoW) Act (2000).

Other legislative Acts affording protection to wildlife and their habitats include:

- Deer Act 1991
- Natural Environment & Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992
- Wild Mammals (Protection) Act 1996

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS
A development licence will be required from the relevant countryside agency (i.e. Natural England) for any development works likely to affect an active badger sett, or to disturb badgers whilst they occupy a sett. Guidance has been issued by the countryside agencies to define what would constitute a licensable activity. It is no possible to obtain a licence to translocate badgers.

Birds
With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the WCA. Among other things, this makes it an offence to:

- Intentionally kill, injure or take any wild bird
- Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built
- Intentionally take or destroy an egg of any wild bird

- Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.

Certain species of bird, for example the barn owl, bittern and kingfisher receive additional protection under Schedule 1 of the WCA and are commonly referred to as “Schedule 1” birds.
This affords them protection against:

- Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young
- Intentional or reckless disturbance of dependent young of such a bird

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS
Works should be planned to avoid the possibility of killing or injuring any wild bird or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.
Schedule 1 birds are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS
A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England) will be required for works likely to affect otter breeding or resting places (often referred to as holts, couches or dens) or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, and rear young). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored

Bats
All species are fully protected by Habitats Regulations 2010 as they are listed on Schedule 2. Regulation 41 prohibits:

- Deliberate killing, injuring or capturing of Schedule 2 species (e.g. All bats)
- Deliberate disturbance of bat species in such a way as:
    - To impair their ability to survive, breed, or reproduce, or to rear or nurture young
    - To impair their ability to hibernate or migrate
    - To affect significantly the local distribution or abundance of the species
    - Damage or destruction of a breeding site or resting place

Bats are afforded the following additional protection through the WCA as they are included on Schedule 5:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty
Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the ‘biodiversity duty’.
Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of ‘principal importance for the conservation of biodiversity’. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.