



# Wandsworth Estate - The Alders Estate

## Ecological Appraisal



For Wandsworth Borough Council

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## Executive Summary

Contents	Summary
Site Location	The Alders Estate, Aldington Rd, London, centred on Ordnance Survey National Grid Reference: TQ 29492 71644 (nearest post code SW16 1TW).
Proposals	The proposals for this site are for a mixed tenure residential use development. <b>This will contribute towards implementing the Council's</b> strategic commitment to build 1,000 homes on its own landholdings of which up to 60% will be affordable housing and 40% market housing intended for sale to purchasers who will own and occupy.
Scope of this Survey(s)	WYG was commissioned by Wandsworth Borough Council on 6th June 2019 to undertake an Ecological Appraisal of the site known as The Alders Estate. The survey involved an extended Phase 1 habitat survey of the site to record habitat types and dominant vegetation, including any invasive species, and a reconnaissance survey for evidence of protected fauna or habitats capable of supporting such species. The survey was carried out on 4 <sup>th</sup> July 2019 by WYG Project Ecologist Georgia Alfreds BSc MSc ACIEEM.
Results	<p>There are no SACs or SPAs within 2km of the site. There are six SINCs within 1km of the site, the closest of which is RAILSIDES around STREATHAM JUNCTION SINC, immediately adjacent to the east of the site.</p> <p>Seven habitats were recorded on-site, including broad-leaved plantation woodland, scattered trees, amenity grassland, bare ground, hard standing, buildings and 'other' habitats.</p> <p>The site was found to be suitable for the following habitats and protected and notable species:</p> <ul style="list-style-type: none"> <li>• The single mature European horse chestnut in the south-eastern corner is assessed as having a low suitability for roosting bats.</li> <li>• The site is assessed as having moderate potential to support common species of nesting and foraging birds.</li> <li>• The site is assessed as having low potential to support hedgehog.</li> <li>• The site assessed as having low potential to support various invertebrates.</li> <li>• An Invasive species, tree of heaven present: a category 3 LISI species, not listed on Schedule 9 of the W&amp;CA but considered invasive by all London Boroughs.</li> </ul> <p>All other protected species are unlikely to be found within the site as there is no suitable habitat present.</p>
Recommendations	<p>Mitigation recommendations include:</p> <ul style="list-style-type: none"> <li>• Where removal of bird breeding habitat is required and cannot be carried out outside of the bird breeding season, a suitably experienced ecologist should check for active bird nests immediately prior to demolition of buildings or clearance of vegetation (within 48 hours);</li> </ul>



	<ul style="list-style-type: none"> <li>• Reducing the artificial lighting/lighting to be designed more sensitively for bats and hedgehogs;</li> <li>• The mature European horse-chestnut, located in the south-eastern woodland has an entrance hole in the main trunk on the north face, which the surveyor was unable to access at the time of survey due to the height off the ground. The tree should be soft-felled, if removal is necessary; and</li> <li>• Removal of tree-of-heaven.</li> </ul> <p>The following ecological enhancements should be carried out at the site:</p> <ul style="list-style-type: none"> <li>• The incorporation of roosting features for bats within the site. For example, bat boxes/bat tubes. New roosts should not be subject to direct lighting;</li> <li>• The inclusion of targeted UK species planting into the new landscaping for the site. Insect attracting plants should be chosen to increase the food availability to bats and other wildlife; and</li> <li>• The installation of bird boxes are recommended, particularly for house sparrow which are known to be present in the local area.</li> </ul>
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## Glossary

ACIEEM	Associate Member of the Chartered Institute of Ecology & Environmental Management
BCT	Bat Conservation Trust
BoCC	Bird(s) of Conservation Concern
BSI	British Standard Institute
BTO	British Trust for Ornithology
CIEEM	Chartered Institute of Ecology & Environmental Management
CRoW Act	Countryside and Rights of Way Act 2000
DEFRA	Department for the Environment, Food and Rural Affairs
EclA	Ecological Impact Assessment
ECoW	Ecological Clerk of Works
EPSL	European Protected Species Licence
GCN	Great Crested Newt
GiGL	Greenspace Information for Greater London
Habitat Regulations	Conservation of Habitats and Species Regulations 2017 (as amended)
HAP	Habitat Action Plan
Hedgerow Regulations	Hedgerow Regulations 1997
HRA	Habitats Regulations Assessment
JNCC	Join Nature Conservation Committee
LBAP	Local Biodiversity Action Plan
LISI	The London Invasive Species Initiative
LNR	Local Nature Reserve
MCIEEM	Member of Chartered Institute of Ecology & Environmental Management
Natura 2000 site	A European site designated for its nature conservation value
NERC Act	Natural Environment and Rural Communities Act 2006
NNR	National Nature Reserve
NPPF	National Planning Policy Framework
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SAP	Species Action Plan
SINC	Site of Importance for Nature Conservation
SPA	Special Protection Area
SPI	Species of Principal Importance
SSSI	Site(s) of Special Scientific Interest
W&CA	Wildlife & Countryside Act 1981 (as amended)



## 1.0 Introduction

### 1.1 Background

WYG was commissioned by Wandsworth Borough Council on 6<sup>th</sup> June 2019 to undertake an Ecological Appraisal of the site known as The Alders Estate.

This report has been prepared by WYG Project Ecologist Georgia Alfreds BSc MSc ACIEEM and the conditions pertinent to it are provided in Appendix A.

### 1.2 Site Location

The 'site' is located at Aldrington Rd, London, in Wandsworth and is centred at Ordnance Survey National Grid Reference TQ 29489 71641 (Nearest post code: SW16 1TW) – see Figure 1 for the site location.

The site comprises an open space with a concrete forecourt area, small patches of amenity grassland, four buildings and one fenced area of leaf refuge. The site is surrounded by 3,4, and 6 story apartment blocks, situated within an urban residential environment. There is a railway line adjacent to the east of the site.

### 1.3 Development Proposals

The proposals for this site are for a mixed tenure residential use development. This will contribute **towards implementing the Council's strategic commitment to build 1,000 homes on its own** landholdings of which up to 60% will be affordable housing and 40% market housing intended for sale to purchasers who will own and occupy.

### 1.4 Purpose of the Report

The purpose of this report is to complete:

- A desk study to obtain existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence;
- An extended Phase 1 Habitat Survey, involving a walkover of the site to record habitat types and dominant vegetation, including any invasive species, and a reconnaissance survey for evidence of protected fauna or habitats capable of supporting such species;
- An assessment of the potential ecological receptors present on site, identify any constraints they pose to future development and (if possible) any recommendations for any further surveys, avoidance, mitigation or enhancement measures that are needed (as appropriate).

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

A summary of the key legislation is also provided in Appendix B.



## 2.0 Methodology

### 2.1 Desk Study

#### 2.1.1 Local Ecological Records Centre

Information was requested from GiGL for information on any nature conservation designations and protected or notable species records within 1 km of the site.

The data search covered:

- Statutory designated sites for nature conservation, namely SACs, SPAs, Ramsar sites, SSSIs, NNRs and LNRs;
- Non-statutory designated sites for nature conservation, namely SINCs;
- Legally protected species, such as great crested newts *Triturus cristatus*, badger *Meles meles* and bats;
- Notable habitats and species, such as those listed as Habitats or Species of Principal Importance (HPIs or SPIs); and,
- Priority habitats or species within the Wandsworth LBAP and London BAP.

The data search did not cover:

- Tree Preservation Orders (TPOs); or
- Conservation Areas designated for their special architectural and historic interest.

#### 2.1.2 Online Resources

A search for relevant information was also made on the following websites:

- MAGIC [www.magic.gov.uk](http://www.magic.gov.uk) - DEFRA's interactive, web-based database for statutory designations and information on any EPSL applications that have been granted in the local area since 2012.

## 2.2 Field Surveys

The following methodologies have been used to identify the ecological receptors present on or near the site, which are relevant to the proposed development.

#### 2.2.1 Habitats

An extended Phase 1 habitat survey was undertaken on the site on 4<sup>th</sup> July 2019 by WYG Project Ecologist Georgia Alfreds BSc MSc ACIEEM. The weather conditions were clear and sunny, the temperature was **25°C** and an easterly wind force 1 on the Beaufort scale.

The vegetation and broad habitat types within the site were noted during the survey in accordance with the categories specified for a Phase 1 Vegetation and Habitat Survey (JNCC, 2010). Dominant plant species were recorded for each habitat present using nomenclature according to Stace (2019). The site was also appraised for its suitability to support notable flora, with regard to the *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017).





## 2.2.2 Protected & Notable Species

The site was inspected for evidence of, and its potential to support, protected or notable species, especially those listed under the Schedule 2 of the Habitat Regulations, Schedule 5 of the W&CA, the CRoW Act, those given extra protection under the NERC Act, and species included in the London BAP.

### Great Crested Newt

The site was appraised for its suitability to support GCN. The assessment was based on Guidance outlined in the *Herpetofauna Workers' Manual* (Gent & Gibson, 2003) and the *Great Crested Newt Conservation Handbook* (Langton, Becket & Foster, 2001).

### Bats

#### Roosting Bats – Buildings / Structures / Trees

Any suitable buildings, structures or trees on site were assessed from the ground for their suitability to support breeding, resting and hibernating bats using survey methods based on the BCT *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2016) – hereafter referred to as the 'BCT Guidelines'. The following system has therefore been used to categorise the bat roost suitability of any features found:

Table 1 Categories of Bat Roost Suitability (BCT Guidelines)

Suitability	Typical Roosting Features
Negligible	Negligible habitat features on site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain potential roost features but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis & potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.

#### Foraging/commuting Bats

The BCT Guidelines use the following criteria to categorise the potential value of habitats and features for use by foraging and commuting bats and these have been used to characterise the value of this site:



Table 2 Categories of Habitat Suitability (BCT Guidelines)

Suitability	Typical Foraging & Commuting Features
Negligible	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.

### Reptiles

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

### Badgers

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

### Hazel Dormice

The site was surveyed for its suitability to support hazel dormice. The assessment was based on guidance outlined in Bright, Morris and Mitchell-Jones (2006).

### Other Species

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

#### 2.2.3 Invasive Species

The site was searched for evidence of invasive plant species, such as Japanese knotweed *Reynoutria japonica* (formerly *Fallopia japonica*), Indian (Himalayan) balsam *Impatiens glandulifera*, giant hogweed *Heracleum mantegazzianum*, wall cotoneaster *Cotoneaster horizontalis* and rhododendron



*Rhododendron ponticum* × *Rhododendron maximum*. A full list of all invasive plant species is provided in Appendix B.

## 2.3 Limitations

The optimal period to undertake an extended Phase 1 habitat survey is April-September. The survey was completed in July which is inside the optimal survey window.

The 50m buffer zone for badger was accessible to the west of the site only. The metal fence and railway line prevented a buffer search to the east of the site, and residential gardens prevented access beyond the north and south of the site. The northern and southern solid concrete boundaries did not allow movement of badgers or other mammals to or from the site. This limitation has been considered within the assessment.

To determine presence or likely absence of protected species usually requires multiple visits at suitable times of the year. As a result, this survey focuses on assessing the potential of the site to support species of note, which are considered to be of principal importance for the conservation of biodiversity with reference to those given protection under UK or European wildlife legislation. This report cannot therefore be considered a comprehensive assessment of the ecological interest of the site. However, it does provide an assessment of the ecological interest present on the day the site was visited and highlights areas where further survey work may be recommended.

The details of this report will remain valid for a period of two years from the date of the survey (until July 2021), after which the validity of this assessment should be reviewed to determine whether further updates are necessary. Note that the recommendations within this report should be reviewed (and reassessed if necessary) should there be any changes to the red line boundary or development proposals which this report was based on.



## 3.0 Baseline Conditions

### 3.1 Designated Sites

The following designated sites of ecological importance have been identified within 1 km of the site.

Table 3 Designated Sites Within 1km

Designation	Site Name	Distance & Direction	Summary of features
SINC (Borough)	Railsides around Streatham Junction	Adjacent E	A mix of native and non-native broadleaved woodland and rough grassland, providing important wildlife corridors and linking the various commons and major wildlife sites together. The rail sides support important populations of birds, including house sparrow <i>Passer domesticus</i> .
SINC (Metropolitan)	Tooting Common	0.1km N	An area of woodland dominated by oak <i>Quercus</i> sp., including several veteran trees. Stag beetle <i>Lucanus cervus</i> have been recorded here along with 74 species of bird. Includes a relict acid grassland.
SINC (Borough)	Railway Linesides - Tooting Bec to Eardley Road	0.3km S	An open mosaic of habitats including tall herbaceous plants such as Canadian goldenrod <i>Solidago canadensis</i> and Michaelmas daisy <i>Aster novi-belgii</i> , with occasional trees including ash <i>Fraxinus excelsior</i> and sycamore <i>Acer pseudoplatanus</i> . Common broomrape <i>Orobanche minor</i> , one of the rarest plants in Lambeth, is found here.
SINC (Local)	Churchyard of St <b>Leonard's, Streatham</b>	0.4km E	The churchyard features a number of mature trees, including a cedar-of-Lebanon <i>Cedrus libani</i> , common lime <i>Tilia x europaea</i> and hornbeam <i>Carpinus betulus</i> . The turf between the tombs and headstones retains a diversity of wild flowers, including selfheal <i>Prunella vulgaris</i> and <b>cat's-ear</b> <i>Hypochaeris radicata</i> .
SINC (Borough)	Railway Linesides - Streatham Cuttings	0.9km E	Wooded cuttings leading into tunnels, and an area of undisturbed grassland between three railway lines. The woodlands are predominantly sycamore, with elm <i>Ulmus</i> spp. A reedbed is located on the north side of the line.
SINC (Borough)	Streatham Common and The Rookery	0.9km SE	The largest area of native woodland in the Borough, dating from approximately



Designation	Site Name	Distance & Direction	Summary of features
			the end of the 19th century, and a small but interesting area of acid grassland.

The nearest LNR is Streatham Common, 1.2km south-east of the site and comprises woodland, grassland and wild flower meadows.

In addition to the above designations, the nearest Natura 2000 site is Wimbledon Common SAC (and SSSI), 5.8km west of the site, comprising of wet and dry heaths.

Four parcels of wood pasture and parkland BAP HPI habitat are located within 1km of the site north and west of the site, the closest of which is 0.1km north of the site beyond Tooting Bec Road. A number of fragmented parcels of deciduous woodland HPI are also located north and west of the site, the closest parcel of which is 0.1km north of the site. No ancient woodland is located within 1km of the site.

## 3.2 Habitats

The following habitats have been identified through our assessment, with detailed Target Notes included in Appendix D and shown on Figure 2, as appropriate:

### 3.2.1 Broad-leaved plantation woodland

A small area of broad-leaved plantation woodland is present in the south-eastern corner of the site with an understorey of bare ground, bramble *Rubus fruticosus* agg., common ivy *Hedera helix* and common nettle *Urtica dioica* (see TN1 for full species list, Appendix D). Two mature trees include common lime with an unused birds nest and a mature European horse-chestnut. This habitat holds moderate ecological value.

### 3.2.2 Scattered trees

Two trees are located in the north-eastern corner of the site including a small-leaved lime and European horse-chestnut (see TN2 for full species list, Appendix D). This habitat holds low ecological value.

Occasional species include tree of heaven *Ailanthus altissima*, a LISI Category 3 species, which is considered invasive by all London Boroughs even though it is not yet on Schedule 9.

The small broad-leaved plantation woodland in the south-east of the site is discussed in section 3.2.1, and holds moderate ecological value.

### 3.2.3 Amenity Grassland

A small patch of amenity grassland is located in the south of the site, dominated by common bent *Agrostis capillaris*, white clover *Trifolium repens*, common daisy *Bellis perennis* and greater plantain *Plantago major* (see TN3 for full species list, Appendix D). This habitat holds low ecological value but may be used for foraging by some bird species.



#### 3.2.4 Bare Ground

Bare ground is located beneath the trees in the north-eastern corner of the site, adjacent to the railway line (TN4). This habitat is of negligible ecological value.

#### 3.2.5 Hard Standing

A hard standing concrete forecourt consisting of asphalt access roads and dominate much of the site, particularly to the south (TN5). This habitat is of negligible ecological value.

#### 3.2.6 'Other' habitat

A small contained area of leaf litter surrounded by fence is present in the south-west of the site (TN6), which could act as refuge habitat for hedgehogs or be used by invertebrates, however as the area is fenced to the ground hedgehog would be unable to access this area. It is of low ecological value in itself and provides no suitability for protected species.

#### 3.2.7 Buildings

The site contains four buildings (TN7). These include a row of nine (B1) and 40 (B2) single storey frequently used garages and two buildings used to store tools and large bins (B3 & B4). Further detail relating to the bat roost assessment of these structures is provided in Table 4 in Section 3.3.3.

### 3.3 Protected & Notable Species

#### 3.3.1 Great Crested Newts

The desk study returned no records of GCN within 1km of the site boundary.

There is a granted EPSL for the destruction of a GCN resting place from July 2012, located approximately 0.3km north-east of the site.

There are two waterbodies within 500m of the site (see Figure 1). One is a swimming pool at Tooting Bec Lido 0.2km north of the site and the other is a large lake in Tooting Graveney Common, 0.5km north-west of the site beyond Tooting Bec Road approximately 1ha in area. Tooting Bec Road and residential housing are significant barriers to potential movement of GCN.

Furthermore, the site does not contain any potential breeding habitat and the terrestrial habitat is assessed as being sub-optimal due to frequent mowing of the grassland and other intensive management practices. The habitats on site provide little foraging opportunities for GCN, therefore the site is assessed as having negligible potential to support GCN and are not considered further in this assessment.

#### 3.3.2 Reptiles

The desk study found no reptile records within 1km of the site boundary.

The amenity grassland is well managed, disturbed regularly and is isolated by hard standing pavements / roads. It provides little foraging opportunities for reptiles, therefore the site is assessed as having negligible potential to support reptiles and are not considered further in this assessment.



### 3.3.3 Bats



The desk study returned records of common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, noctule *Nyctalus noctula* and Leisler's bat *Nyctalus leisleri* bats, as well as nine records of unidentified bat species. The most recent record was from June 2017 for a common pipistrelle bat, and the nearest record was located 0.4km north-west of the site for an unidentified bat species.

There were no granted EPSL applications for bats within 2km of the site boundary. The nearest was 2.7km west of the site from 2009, for the destruction of a breeding roost for common pipistrelles.

#### Building Bat Roost Assessment

The four buildings within the site have been assessed as having negligible suitability for roosting bats. Further detail is provided in Table 4 below.

Table 4: Buildings assessed for bat roost suitability




Building	Description	Photograph
B1	<p>TQ 29478 71668</p> <p>Row of nine flat roof, brick built garages in the north of the site. In-tact guttering along northern elevation. Two large gaps under soffit on eastern and western-most ends, leading to garages which are unsuitable for roosting bats.</p> <p>This structure is assessed as having negligible suitability for roosting bats.</p>	<p>Northern elevation:</p>  <p>Southern elevation:</p> 
B2	<p>TQ 29500 71650</p> <p>Row of 40 flat roof, brick built garages running north to south in</p>	<p>Western elevation:</p>



Building	Description	Photograph
	<p>east of site, adjacent to the railway line. In-tact guttering surrounding the perimeter of the roof. Roof consists of bitumen felt with a bordering wooden soffit.</p> <p>A small number of gaps are present under the soffits along the western elevation of B2. However after inspection these did not lead anywhere and are unsuitable to support roosting bats.</p> <p>A wooden soffit is partly lifted on south-western corner. However this gap was covered in cobwebs. Therefore this structure is of negligible ecological value as a bat roosting feature.</p> <p>Overall, this structure is assessed as having negligible suitability for roosting bats.</p>	 <p>South-western corner:</p> 
B3	<p>TQ 29476 71616</p> <p>Brick structure, rubbish bins store. Steps leading to roof. Box lights fixed to southern elevation. Wooden soffit and in-tact guttering surrounding roof. Gentle sloping roof, consisting of bitumen felt. This building is in good condition with no crevices or holes suitable to support roosting bats.</p> <p>This structure is assessed as having negligible suitability for roosting bats.</p>	<p>Southern elevation:</p> 





Building	Description	Photograph
		<p>Northern elevation:</p> 
<p>B4</p>	<p>TQ 29470 71608</p> <p>A brick maintenance shed with sloping roof. Wooden soffit. Tiled roof with bitumen felt around outside border. No gaps in brickwork or under soffit. One box light situated above metal doors on northern elevation. This building is in good condition with no crevices or holes suitable to support roosting bats.</p> <p>This structure is assessed as having negligible suitability for roosting bats.</p>	<p>Northern elevation:</p>  <p>Western elevation:</p> 

Tree Bat Roost Assessment

One mature European horse-chestnut (TN8) in the south-east woodland of the site was assessed as having low bat roost suitability. It contained one hole in its trunk on its north face however at the



time of survey it was not possible to ascertain from the ground how far into the tree this hole penetrated.

### Commuting and Foraging Bats

The site contains one small area of amenity grassland, scattered trees and broadleaved plantation woodland in the south-east of the site. The Tooting Graveney Common is located 430m west of the site which is a substantial broadleaved woodland. The woodland habitat on-site is immediately adjacent to the railway, linking it to the wider environment which could provide opportunities for foraging bats as well as commuting bats. However, the dominant habitat on site is the hard standing, therefore overall the site itself has negligible potential for commuting and foraging bats due to the small size of the site.

#### 3.3.4 Badger

The desk study found no records for badger within 1km of the site boundary.

The amenity grassland is well managed, disturbed regularly and is isolated by hard standing pavements / roads. As such, badger are highly unlikely to use the site. As such, the site has been assessed as having a negligible potential for badgers and they are not considered further in this report.

#### 3.3.5 Hazel Dormice

The desk study found no records for hazel dormouse within 1km of the site boundary.

The site predominantly consists of hard standing. A small area of woodland is present in the south-eastern corner of the site, however this area has limited understorey and is highly isolated by urban development. For this reason, the site is assessed as having negligible potential to support dormouse and this species is not considered further in this report.

#### 3.3.6 Otter & Water Vole

The desk study found no records for otter *Lutra lutra* or water vole *Arvicola amphibius* within 1km of the site boundary.

There are no waterbodies or watercourses on site and no suitable otter or water vole habitat within the site. The site is assessed as having negligible potential to support otters or water voles and they are not considered further in this report.

#### 3.3.7 European Hedgehog

The desk study returned three European hedgehog *Erinaceus europaeus* records, the most recent of which was from 2003 and located 0.9km south-west of the site.

The woodland habitat and amenity grassland within the site provide foraging and sheltering habitat for hedgehog. The area of leaf litter is fenced and therefore cannot be accessed by hedgehogs. Overall, the site has low potential to support hedgehog.



### 3.3.8 Birds

The desk study returned records from 51 bird species. This included 250 records of house sparrow, a NERC Act species and red listed under the BoCC. Other bird species relevant to the site include 307 starling *Sturnus vulgaris* records, 239 song thrush *Turdus philomelos* records (both red listed under BoCC) and 135 records of swift *Apus apus* (amber listed under BoCC).

No records of the Schedule 1 legally protected black redstart *Phoenicurus ochruros* were returned through the data search and the habitats within the site have been assessed as unsuitable due to the lack of suitable nesting opportunities and lack of open mosaic habitat for foraging.

Habitats of most value to birds on site are the woodland and scattered trees within the site, and the buildings which could be used by breeding birds. Overall, the site has moderate potential to support nesting and foraging common bird species such as robin *Erithacus rubecula* and wood pigeon *Columba palumbus*.

### 3.3.9 Invertebrates

The desk study found 41 invertebrate species records within 1km of the site boundary. This included one record of roman snail *Helix (Helix) pomatia* which is protected under the W&CA against intentional injury or killing, taking, selling or disturbing places of shelter. This was recorded in 2015, 0.5km north-west of the site. There were also 254 records of stag beetle *Lucanus cervus*, a NERC Act species; the nearest being less than 0.1km south-east of the site, and the most recent being in June 2018. Several SPI butterflies and moths were also returned, including white-letter hairstreak *Satyrium w-album*, grey dagger *Acronicta psi*, buff ermine *Spilosoma lutea* and cinnabar *Tyria jacobaeae*. No suitable habitat occurs on site for any of these species.

The horse chestnut tree leaves were mined by the larvae of the horse chestnut leaf-miner moth *Cameraria ohridella*, which causes characteristic brown blotches on the leaves. This is a non-native micro-moth, first recorded in Britain in South West London in 2002 and is now widespread through the southern half of the country (UK Moths Website: <http://ukmoths.org.uk> Accessed 31<sup>st</sup> July 2019).

The amenity grassland and compound of leaf litter (TN6) have limited value to invertebrates. As these habitats are highly managed and isolated, the value of the site for invertebrates is low.



### 3.3.10 Notable Flora and Invasive Species

The desk study found three species records for Schedule 8 WCA plants within 2km of the site boundary, including Bluebell *Hyacinthoides non-scripta*, Least Lettuce *Lactuca saligna* and cut-grass *Leersia oryzoides*.

The desk study found 40 LISI flowering plant species records within 2km of the site boundary. Invasive tree-of-heaven is present on site within TN4. Although this species is not listed on Schedule 9 of the W&CA it is considered invasive by all London Boroughs and categorized as a LISI species.

## 3.4 Importance of Ecological Features

In line with the CIEEM PEA Guidelines, and based on the above baseline information, each ecological feature recorded within the study area is considered to have the following importance, using the Methodology as defined in Section 4 of the CIEEM EcIA Guidelines (2018):

Table 5 Importance of Ecological Features

Feature	Importance	Rationale
Six SNCI's	County	These sites are designated for various features of county level importance.
Broadleaved Plantation woodland	Local	A number of common trees on site.
Scattered trees	Local	A number of common trees on site.
Amenity grassland	Negligible	This habitat holds low ecological value.
Bare ground	Negligible	Is of negligible ecological value in themselves.
'Other' habitat (TN6)	Negligible	Provides low ecological value
Buildings	Negligible	They are of negligible ecological value in themselves.
Great crested newt	Negligible	Site has negligible potential for GCN.
Reptiles	Negligible	Site has negligible potential for reptiles.
Commuting and foraging bats	Negligible on site. Local importance in adjacent railway corridor.	Trees within the site are connected to the railway to the east of the site, but the site itself is predominantly hard standing..
Roosting bats	Unknown	One mature tree on site.
Badger	Negligible	Site has no suitable foraging or sett creation habitat.
Dormouse	Negligible	Habitats on site have negligible potential to support dormouse.
Otter and Water Vole	Negligible	Site has negligible potential for otters or water voles as there is no suitable habitat present.
Other amphibians	Negligible	Site has negligible potential for amphibians.



Feature	Importance	Rationale
Hedgehog and other Mammals	Negligible	The grassland and woodland within the site provide limited foraging and sheltering habitat for hedgehog and other mammals.
Birds	Negligible	Likely to be small numbers of common breeding species.
Invertebrates	Negligible	Likely to contain common species. Notable assemblage unlikely.
Notable Flora and Invasive Species	Negligible	Tree-of-Heaven <i>Ailanthus altissima</i> , a London LISI species.
Either: International (incl. European) / National / Regional / County / Local / Negligible Or: Unknown (i.e. further surveys/information needed)		

The potential for the proposals to have adverse or beneficial impacts on these features, along with the need for any mitigation or enhancement measures are discussed in detail below.



## 4.0 Relevant Planning Policy & Legislation

### 4.1 Revised National Planning Policy Framework

A revised NPPF was issued on 19<sup>th</sup> February 2019 (Ministry of Housing Communities and Local Government, 2019) and currently supplements government Circular 06/2005, *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System* (Office of the Deputy Prime Minister, 2005).

Circular 06/2005 states that the presence of protected species is a material consideration in the planning process. Paragraph 170 of the NPPF also states that:

*‘Planning policies and decisions should contribute to and enhance the natural environment by:*

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

The conservation and enhancement of wildlife is also specifically reference re: development within the National Parks or the Broads.

Paragraph 174 then goes on to confirmed that:

*When determining planning applications, local planning authorities should apply the following principles:*

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*



- c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*

Regarding **EcIA's and HRA's** – any sites identified, or required, as compensatory measures for adverse effects on any Natura 2000/habitats site should also be given the same level as protection as the **pSPA's and cSAC's themselves**. In addition, when an application is being determined, Paragraph 177 clarifies that:

*"The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."*

Paragraph 180 is also relevant as:

*Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:...*

- c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

## 4.2 Biodiversity 2020: A strategy for England's Wildlife & Ecosystem Services

Biodiversity 2020 (DEFRA, 2011) replaces the previous UK Biodiversity Action Plan and sets national targets to be achieved. The intent of Biodiversity 2020, however, is much broader than the protection and enhancement of less common species, and is meant to embrace the wider countryside as a whole.

The priority species and habitats considered under Biodiversity 2020 are the SPI & HPI detailed under NERC Act (see Appendix B for further details).

## 4.3 Local Biodiversity Action Plan

Local Biodiversity Action Plans (LBAPs) identify habitat and species conservation priorities at a local level (typically County by County) and are usually drawn up by a consortium of local Government organisations and conservation charities. Although they are no-longer managed at a national level many are still reviewed and updated at a local level.

The London BAP is the relevant document for this site and it contains the following Habitat & Species Action Plans:



The London BAP (2016) identified a total of 214 priority species that are under particular threat in London. Planning decisions must take these species into account. Eight of these species (or species groups) were identified as needing targeted action to secure their future in London, and these have their own SAPs.

Table 6: LBAP SAPs

Species Action Plans	
Bats	Sand martin <i>Riparia riparia</i>
Black poplar <i>Populus nigra</i>	Stag beetle
House sparrow	Water vole
Mistletoe <i>Viscum album</i>	Reptiles
Other Important Species	
Black redstart	Otter
Common dormouse <i>Muscardinus avellanarius</i>	Peregrine falcon <i>Falco peregrinus</i>
Grey heron <i>Ardea cinerea</i>	

The London BAP identifies priority habitats that are of particular importance for biodiversity in London. Many of these habitats are covered by HAPs. The London BAP has 11 HAPS. Nine of these are for named habitat types, while another two are for land uses.

Table 7: LBAP HAPs

Habitats Action Plans	
Acid grassland	Rivers & streams
Chalk grassland	Standing water
Heathland	Tidal Thames
Parks & urban green spaces	Wasteland
Private gardens	Woodland
Reedbeds	
Other Important Habitats	
Built structures	Fen, marsh and swamp
Meadows and pastures	Open landscapes with ancient/old trees

It should be noted that the existence of a SAP or HAP does not always infer an elevated level importance for those features. These plans may be designed to encourage an increase in these habitats/species, rather than to protect a county-scarce feature (for example).

Wandsworth council does not have a LBAP but local biodiversity action plans are managed by Enable, a not-for-profit organisation who implement those from the London BAP. Enable manage a diverse





portfolio of public services on behalf of Wandsworth Council. A Biodiversity Partnership was set-up in **2001 with the original intention of producing action plans for the borough's wildlife.** However since the London Biodiversity Partnership were already producing action plans for many of the species and habitats, Enable decided to prioritise contributing to meeting their targets. Actions include those for protecting grey herons *Ardea cinerea*, peregrine falcons *Falco peregrinus*, house sparrows and conserving acid grassland.

#### 4.4 Local Plan

Those policies of relevance to ecology within Wandsworth Local Plan Core Strategy (March 2016) are listed below.

##### Policy PL 4 - Open space and the natural environment

- a) *The Council will protect and improve public and private open space and Green Infrastructure in the borough, including Metropolitan Open Land, such as the major commons, parks, allotments, trees and playing fields as well as the smaller spaces, including play spaces, as identified in the Open Space Study and Play Strategy.*
- b) *Playing fields will be protected and opportunities for participation in sport, recreation and children's play will be promoted. Where there is no future demand for playing fields or other outdoor sports use, other open space uses will be sought.*
- c) *The Council will require the provision of open space and/or secure public access to private facilities, in appropriate developments, and as a priority in areas identified as deficient in open space, play space or sport and recreation facilities and/or to meet priorities identified in the Council's Play Strategy, Active Wandsworth Strategy, Parks Management Strategy and All London Green Grid (ALGG) Area Frameworks. The requirements for open space provision are set out in the Planning Obligations SPD.*
- d) *The borough's green chains and the open spaces along them will be protected and enhanced taking into account opportunities identified in the ALGG Area Frameworks. The biodiversity value of the borough will be protected and enhanced including that of the River Thames, River Wandle and Beverley Brook and species and habitats identified in the London Biodiversity Action Plan and through Local Nature Partnerships.*
- e) *New development should avoid causing ecological damage and propose full mitigation and compensation measures for ecological impacts which do occur. Where appropriate new development should include new or enhanced habitat or design and landscaping which promotes biodiversity, and provision for management, particularly in areas identified as deficient in nature conservation.*
- f) *The Council will work with partners to develop and implement proposals for the Wandle Valley Regional Park.*

Those policies of relevance to ecology within the London Local Plan (March 2016) are listed below.

Policy 7.19, part C of the London Plan (2016), Biodiversity and access to nature, states;

**"C. Development Proposals** should:

- a) *wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity*



- b) *prioritise assisting in achieving targets in biodiversity action plans (BAPs), set out in Table*
  - a. *7.3, and/or improving access to nature in areas deficient in accessible wildlife sites*
- c) *not adversely affect the integrity of European sites and be resisted where they have*
  - a. *significant adverse impact on European or nationally designated sites or on the population or*
  - b. *conservation status of a protected species or a priority species or habitat identified in a UK,*
  - c. ***London or appropriate regional BAP or borough BAP...***

## 4.5 Legislation

Full details of the UK legislation and offences which are relevant to the ecological receptors identified are included in Appendix B. However, based on the findings of our assessment, it is considered that the proposals will need to consider the following legal provisions:

- Disturbance of nesting wild birds; and
- Disturbance or killing of an EPS.



## 5.0 Discussion

### 5.1 Designated Sites

#### Sites of Importance for Nature Conservation

The Railsides around Streatham Junction SINC is immediately adjacent to the east of the site. The proposals are unlikely to cause a direct or indirect effects on the SINC in the area due to the localised nature of the development.

As a matter of best practice, pollution prevention measures should be adopted such as:

- Measures to minimise dust arising, when necessary, including the use of dust control machinery and wet machinery;
- Measures to prevent pollution / contamination events through surface run-off;
- Measures to prevent lighting of adjacent SINC (see Section 5.3); and
- Measures to minimise other pollution events such as noise, vibration and wind-blown litter.

#### Local Nature Reserve

The nearest LNR is Streatham Common, 1.2km south-east of the site and comprises woodland, grassland and wild flower meadows. The proposals are unlikely to cause direct or indirect effects on this LNR. Operation of the proposed development is unlikely to result in significantly increased visitor pressure to this LNR because it is beyond a railway line, residential housing and main roads and is already in a densely populated urban area and the LNR is managed appropriately for visitors.

### 5.2 Habitats

The bare ground and hardstanding are of no ecological value and their removal is insignificant in relation to ecology.

#### Broad-leaved plantation woodland and Scattered Trees

One mature European horse-chestnut (TN8) in the south-east woodland of the site was assessed as having low bat roost suitability due to one minor feature; one hole high up which the surveyor was unable to access. This habitat holds moderate ecological value to support bats and nesting birds. It is recommended that this tree is retained and should be protected during construction using root protection fencing around the root zones in accordance with British Standards BS 5837 2012: Trees in Relation to Construction.

The scattered trees have negligible suitability to support roosting bats but may support commuting or foraging bats, therefore it is recommended that the trees are retained and protected as above. If the trees cannot be retained, replacement planting on a like-for-like basis should be adhered to.

#### Amenity Grassland and 'other' habitat

The small patch of amenity grassland in the south of the site may provide foraging habitat for common birds, but overall is of low ecological value. Therefore no impacts are envisaged from its removal (should removal be required).



An area of leaf litter surrounded by fence in south of site (TN6) is of low ecological value and its removal is insignificant in relation to ecology.

#### Buildings

Buildings 1, 2, 3 & 4 are of negligible ecological value for roosting bats and nesting birds.

### 5.3 Protected & Notable Species

Only those species which could be adversely impacted by the proposals are discussed in this section.

#### Bats

All species of British bats and their roosts are fully protected under the W&CA and Habitat Regulations.

##### Roosting Bats

The buildings have negligible suitability to support roosting bats as such, no further survey or mitigation is required for their removal.

One mature European horse-chestnut tree on site (TN8) is considered to be of low bat roost suitability. No further surveys are necessary (in line with the BCT Guidelines) and it is recommended that this tree is retained. However, if this tree is to be removed, it should be felled using sectional / soft-felling techniques. After felling, the limbs should then be left on the ground (with cavities facing upwards) overnight in order to allow any roosting bats to escape.

##### Foraging and Commuting Bats

The site is adjacent to a railway, which is also designated as a SINC, linking it to the wider environment which could provide opportunities for foraging bats as well as commuting bats. The railway line immediately adjacent to the east of the site also provides a commuting corridor for bats.

##### External Lighting Recommendations

To minimise the risk of disturbing foraging and commuting bats using the site, specific working practices / mitigation methods are recommended during the construction and operational phases of the development as outlined below:

###### *During Construction*

- Works should take place during daylight hours; and
- If security lighting is necessary, lights triggered by motion sensors should be used and their coverage should be kept to a minimum.

###### *Operational Phase*

Any new lighting should be carefully designed to minimise disturbance to foraging and commuting bats in the nearby areas. A sensitive lighting strategy is recommended including steps such as:

- Consideration of the available lighting technology to minimise impacts on bats, i.e. use of LED lighting. These have been shown to have the least impact on bats (as well as invertebrates) as they emit no UV light (which attracts invertebrates). LED lighting also emits little UV light, and these lamps can be programmed to switch off, or dim at certain times;



- Directional lighting where light spillage is avoided. Hoods/cowls can be used to direct light below the horizontal plane (ideally at an angle less than 70 degree);
- Lights designed to be as low to the ground as possible (specifically not above 8m); and
- Lights switched off at night (particularly during the months of April to October, inclusive when bats are active), or at least, motion sensed.

### Birds

All nesting birds are protected whilst breeding by the W&CA.

Several trees on site could be used by nesting birds. In order to avoid committing an offence by disturbing a nesting bird, clearance of trees/vegetation should be undertaken outside of the nesting bird season, i.e. clearance should take place between October to February inclusive. If clearance during this timing is not possible, it is recommended that a check for nesting birds is undertaken within 48 hours prior to clearance of vegetation by a suitably qualified ecological clerk of works (ECoW). If an active bird nest is found, a buffer (typically around 5m, but more for some sensitive species) should be set up within which no work takes place until the young have fledged and the nest is no longer in use. Work which creates more disturbances (e.g. piling) will require a larger buffer.

### Hedgehog

Hedgehogs are an SPI and therefore are material consideration in the planning process. They also receive protection under the Wild Mammal Protection Act 1996 (as amended). As such, reckless and inhumane killing of such mammals would be considered an offence. The habitats of most value to these species are scattered trees, grassland and leaf pile (TN6). Casual use of the site by hedgehogs cannot be ruled out, especially dispersing juvenile animals.

It is recommended that any holes or trenches dug as part of the proposed development are either covered at night or else a plank of wood or similar is placed in them in such a manner as to afford a ready escape route should a hedgehog or any other animal fall in.

Any brash piles (or TN6) should be removed from May to September, by hand, to avoid disturbing hibernating hedgehogs.

### Invasive Species

Tree-of-Heaven is situated in the north-east corner of the site (TN4), adjacent to the railway, and is a LSI species. A specialist contractor should be contacted to produce a Method Statement for removal to include timings, as it is recommended that this tree is removed.

## 5.4 Ecological Enhancements

With reference to the NPPF and Wandsworth Local Plan Core Strategy (2016), the following ecological enhancements are recommended to enhance the site for ecology:

- Gardens and/or green space should be included in the proposed development;
- Planting of native species of grassland, scrub and trees, including fruiting trees and dense scrub species to provide food and nesting opportunities for birds;
- Incorporate connectivity of green space within the development and that of the wider area (particularly neighbouring gardens) to allow free movement by hedgehogs and other terrestrial species; and



- Install bat bricks/boxes and bird boxes for house sparrows onto new buildings and any mature trees which are retained.

Further advice on how to enhance the site for notable wildlife can be provided on request.



## 6.0 Summary

### 6.1 Designated Sites

No adverse impacts on wildlife designated sites is likely. As a matter of best practice, pollution prevention measures should be followed during site clearance and construction phases of the project.

### 6.2 Habitats

Habitats on site include broad-leaved plantation woodland, scattered trees, amenity grassland, bare ground, hard standing, buildings and 'other' habitats.

Trees should be retained where possible and protected throughout demolition and construction activities. The exception is the invasive tree-of-heaven, which is recommended to be removed from the site.

### 6.3 Protected & Notable Species

- The tree (TN8) should be soft-felled, if removal is necessary;
- A specialist contractor should be contacted to remove the LISI tree-of-heaven tree situated in the north-east corner of the site (TN4);
- Breeding birds should be considered during removal of scattered trees and woodland;
- Vegetation clearance is recommended outside of the nesting bird season (clearance possible October to February inclusive). If this is not possible, an ECoW should perform a nesting bird check within 48 hours prior to clearance;
- Reducing the artificial lighting/lighting to be designed more sensitively for bats, hedgehogs and moths.
- Any holes or trenches to be covered over at night or else a ready escape route provided; and
- Any brash piles (or TN6) should be removed from May to September to avoid disturbing hibernating hedgehogs.

### 6.4 Enhancements

Site enhancements, including wildlife beneficial planting and the installation of bat and bird boxes are recommended.



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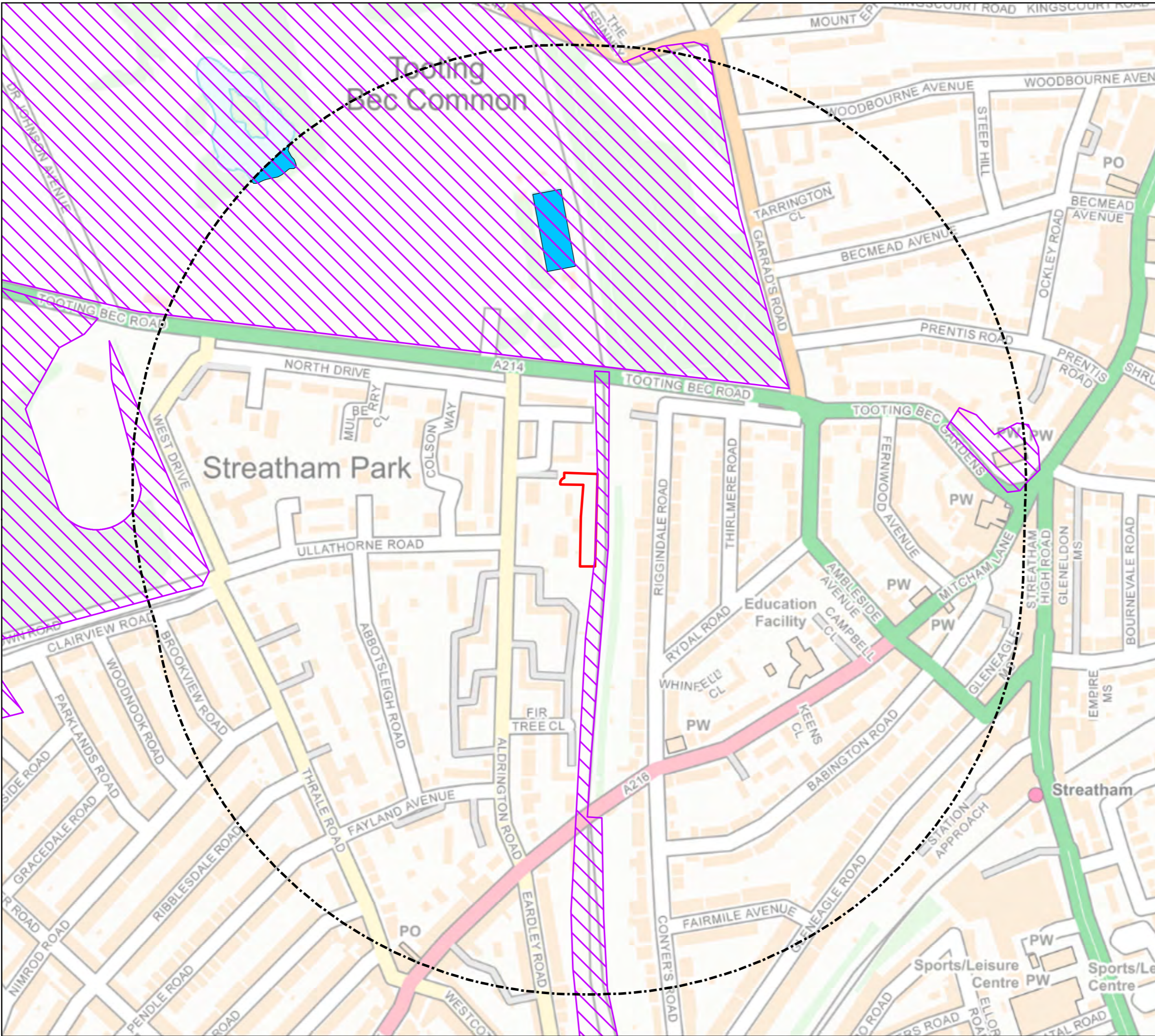
Please note that the legislation which is relevant to this report is not included in the list above, but details are included in Appendix B below.



## FIGURES

Figure 1 – Site Location Plan

Figure 2 – Phase 1 Habitat Plan



Rev	Date	Notes
A	07/08/19	Initial map production

- Legend
- Site boundary
  - 500m buffer
  - Site of Importance for Nature Conservation (SINC)
  - Waterbody

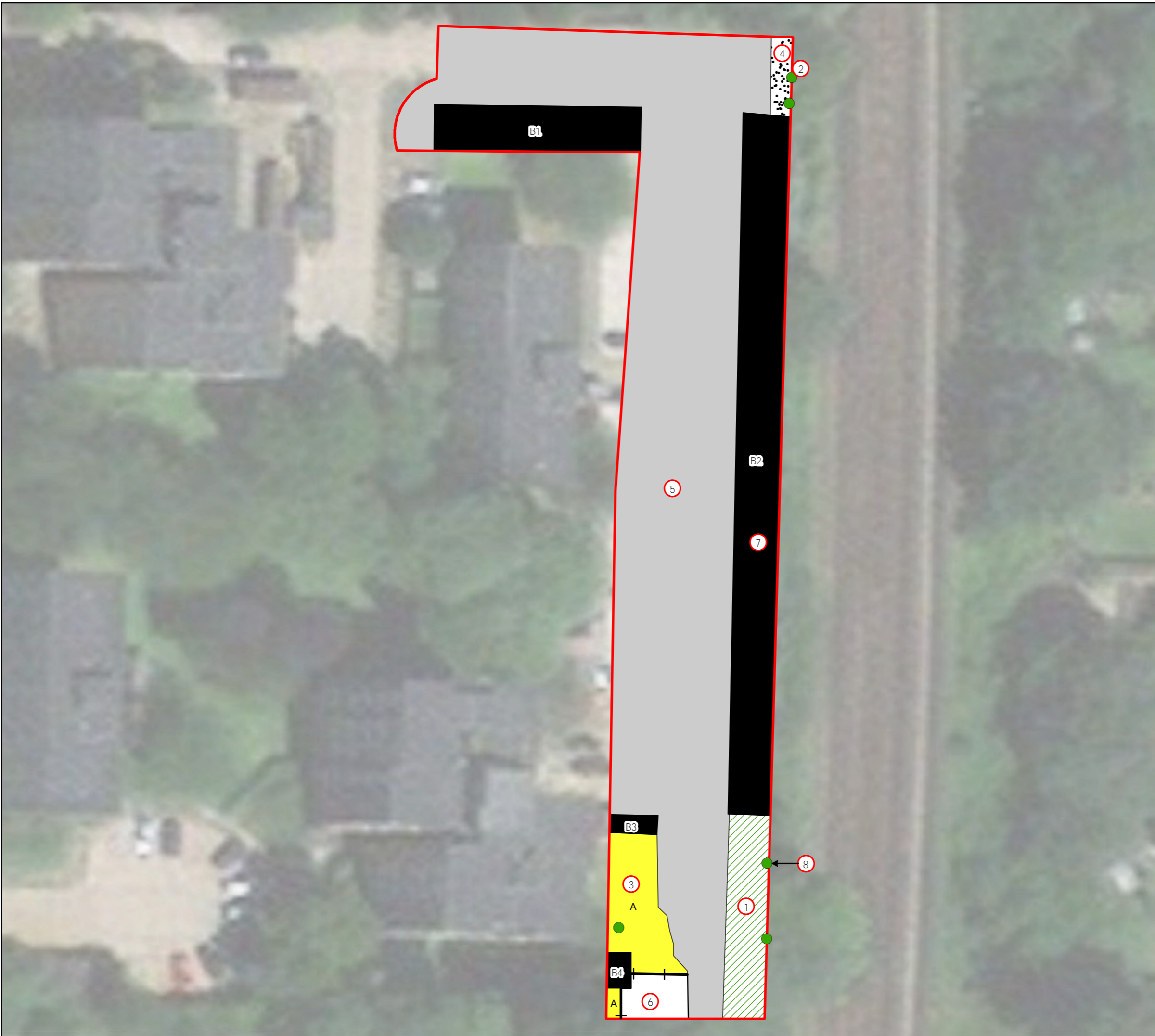


Site Location Plan with Local SINC and All Waterbodies within 500m

Wandsworth Estate - The Alders Estate  
Wandsworth Borough Council

Scale at A3: 1:4,250	Project No: A100140-36	Drawing No: Figure 1	Revision: A
Drawn by: Maddie Errington	Drawn date: 07/08/2019	Approved by: Georgia Alfreds	

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Rev	Date	Notes
A	07/08/19	Initial map production

Legend

- Site boundary
- Broadleaved woodland - plantation
- A Amenity grassland
- Buildings
- Hardstanding
- Bare ground
- Other habitat
- Fence
- Scattered tree
- Target note



Phase 1 Habitat Plan

Wandsworth Estate - The Alders Estate  
Wandsworth Borough Council

Scale at A3: 1:400	Project No: A100140-36	Drawing No: Figure 2	Revision: A
Drawn by: Maddie Errington	Drawn date: 07/08/2019	Approved by: Georgia Alfreds	

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## Appendix A – Report Conditions

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

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

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



## Appendix B – Key Legislation

### Bern Convention

The *Convention on the Conservation of European Wildlife and Natural Habitats* (the *Bern Convention*) was adopted in Bern, Switzerland in 1979, and was ratified in 1982. Its aims are to protect wild plants and animals and their habitats listed in Appendices 1 and 2 of the Convention, and regulate the exploitation of species listed in Appendix 3. The regulation imposes legal obligations on participating countries to protect over 500 plant species and more than 1000 animals.

To meet its obligations imposed by the Convention, the European Community adopted the *EC Birds Directive* (1979) and the *EC Habitats Directive* (1992 – see below). Since the Lisbon Treaty, in force since 1<sup>st</sup> December 2009, European legislation has been adopted by the European Union.

### Bonn Convention

**The Convention on the Conservation of Migratory Species of Wild Animals or 'Bonn Convention'** was adopted in Bonn, Germany in 1979 and came into force in 1985. Participating states agree to work together to preserve migratory species and their habitats by providing strict protection to species listed in Appendix I of the Convention. It also establishes agreements for the conservation and management of migratory species listed in Appendix II.

In the UK, the requirements of the convention are implemented via the Wildlife & Countryside Act 1981 (as amended), Wildlife (Northern Ireland) Order 1985 (as amended), Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 and the Countryside and Rights of Way Act 2000 (CRoW).

### Habitats Directive

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and **Flora, or the 'Habitats Directive'**, is a European Union directive adopted in 1992 in response to the Bern Convention. Its aims are to protect approximately 220 habitats and 1,000 species listed in its several Annexes.

In the UK, the Habitats Directive is transposed into national law via the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales, and via the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) in Northern Ireland.

### Birds Directive

The EC Directive on the Conservation of Wild Birds (**79/1409/EEC**) or **'Birds Directive'** was introduced to achieve favourable conservation status of all wild bird species across their distribution range. In this context, the most important provision is the identification and classification of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex 1 of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance.



### Conservation of Habitats and Species Regulations 2017 (as amended)

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

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

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

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

Schedule 2 – European Protected Species of Animals	Schedule 5 – European Protected Species of Plants
Horseshoe bats <i>Rhinolophidae</i> - all species	Shore dock <i>Rumex rupestris</i>
Common bats <i>Vespertilionidae</i> - all species	Killarney fern <i>Trichomanes speciosum</i>
Large Blue Butterfly <i>Maculinea arion</i>	Early gentian <i>Gentianella anglica</i>
Wild cat <i>Felis sylvestris</i>	<b>Lady's-slipper</b> <i>Cypripedium calceolus</i>
Dolphins, porpoises and whales <i>Cetacea</i> – all sp.	Creeping marsh-wort <i>Apium repens</i>
Dormouse <i>Muscardinus avellanarius</i>	Slender naiad <i>Najas flexilis</i>
Pool frog <i>Rana lessonae</i>	Fen orchid <i>Liparis loeselii</i>
Sand lizard <i>Lacerta agilis</i>	Floating-leaved water plantain <i>Luronium natans</i>
<b>Fisher's estuarine moth</b> <i>Gortyna borelii lunata</i>	Yellow marsh saxifrage <i>Saxifraga hirculus</i>
Great crested newt <i>Triturus cristatus</i>	
Otter <i>Lutra lutra</i>	
<b>Lesser whirlpool ram's-horn snail</b> <i>Anisus vorticulus</i>	
Smooth snake <i>Coronella austriaca</i>	
Sturgeon <i>Acipenser sturio</i>	
Natterjack toad <i>Epidalea calamita</i>	
Marine turtles <i>Caretta caretta</i> , <i>Chelonia mydas</i> , <i>Lepidochelys kempii</i> , <i>Eretmochelys imbricata</i> , <i>Dermochelys coriacea</i>	

### Wildlife & Countryside Act 1981 (as amended)

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

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

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

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

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



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

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

Finally, the Act also makes it an offence (subject to exceptions) to:

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

Following all amendments to the Act, **Schedule 5 'Animals which are Protected'** contains a total of 154 species of animal, including several mammals, reptiles, amphibians, fish and invertebrates.

**Schedule 8 'Plants which are Protected'** of the Act, contains 185 species, including higher plants, bryophytes and fungi and lichens. A comprehensive and up-to-date list of these species can be obtained from the JNCC website.

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

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

#### Schedule 1 - Birds which are protected by special penalties

Avocet	<i>Recurvirostra avosetta</i>	Osprey	<i>Pandion haliaetus</i>
Bee-eater	<i>Merops apiaster</i>	Owl, Barn	<i>Tyto alba</i>
Bittern	<i>Botaurus stellaris</i>	Owl, Snowy	<i>Nyctea scandiaca</i>
Bittern, Little	<i>Ixobrychus minutus</i>	Peregrine	<i>Falco peregrinus</i>
Bluethroat	<i>Luscinia svecica</i>	Petrel, Leach's	<i>Oceanodroma leucorhoa</i>
Brambling	<i>Fringilla montifringilla</i>	Phalarope, Red-necked	<i>Phalaropus lobatus</i>
Bunting, Cirl	<i>Emberiza cirlus</i>	Plover, Kentish	<i>Charadrius alexandrinus</i>
Bunting, Lapland	<i>Calcarius lapponicus</i>	Plover, Little Ringed	<i>Charadrius dubius</i>
Bunting, Snow	<i>Plectrophenax nivalis</i>	Quail, Common	<i>Coturnix coturnix</i>
Buzzard, Honey	<i>Pernis apivorus</i>	Redstart, Black	<i>Phoenicurus ochruros</i>
Capercaillie	<i>Tetrao urogallus</i>	Redwing	<i>Turdus iliacus</i>
Chough	<i>Pyrrhocorax pyrrhocorax</i>	Rosefinch, Scarlet	<i>Carpodacus erythrinus</i>
Corncrake	<i>Crex crex</i>	Ruff	<i>Philomachus pugnax</i>
Crake, Spotted	<i>Porzana porzana</i>	Sandpiper, Green	<i>Tringa ochropus</i>
Crossbills (all species)	<i>Loxia</i>	Sandpiper, Purple	<i>Calidris maritima</i>
Curlew, Stone	<i>Burhinus oediconemus</i>	Sandpiper, Wood	<i>Tringa glareola</i>
Divers (all species)	<i>Gavia</i>	Scaup	<i>Aythya marila</i>
Dotterel	<i>Charadrius morinellus</i>	Scoter, Common	<i>Melanitta nigra</i>
Duck, Long-tailed	<i>Clangula hyemalis</i>	Scoter, Velvet	<i>Melanitta fusca</i>
Eagle, Golden	<i>Aquila chrysaetos</i>	Serim	<i>Serinus serinus</i>
Eagle, White-tailed	<i>Haliaetus albicilla</i>	Shorelark	<i>Eremophila alpestris</i>
Falcon, Gyr	<i>Falco rusticolus</i>	Shrike, Red-backed	<i>Lanius collurio</i>
Fieldfare	<i>Turdus pilaris</i>	Spoonbill	<i>Platalea leucorodia</i>
Firecrest	<i>Regulus ignicapillus</i>	Stilt, Black-winged	<i>Himantopus himantopus</i>
Garganey	<i>Anas querquedula</i>	Stint, Temminck's	<i>Calidris temminckii</i>





Godwit, Black-tailed	<i>Limosa limosa</i>	Swan, Bewick's	<i>Cygnus bewickii</i>
Goshawk	<i>Accipiter gentilis</i>	Swan, Whooper	<i>Cygnus cygnus</i>
Grebe, Black-necked	<i>Podiceps nigricollis</i>	Tern, Black	<i>Chlidonias niger</i>
Grebe, Slavonian	<i>Podiceps auritus</i>	Tern, Little	<i>Sterna albifrons</i>
Greenshank	<i>Tringa nebularia</i>	Tern, Roseate	<i>Sterna dougallii</i>
Gull, Little	<i>Larus minutus</i>	Tit, Bearded	<i>Panurus biarmicus</i>
Gull, Mediterranean	<i>Larus melanocephalus</i>	Tit, Crested	<i>Parus cristatus</i>
Harriers (all species)	<i>Circus</i>	Tree-creeper, Short-toed	<i>Certhia brachydactyla</i>
Heron, Purple	<i>Ardea purpurea</i>	Warbler, Cetti's	<i>Cettia cetti</i>
Hobby	<i>Falco subbuteo</i>	Warbler, Dartford	<i>Sylvia undata</i>
Hoopoe	<i>Upupa epops</i>	Warbler, Marsh	<i>Acrocephalus palustris</i>
Kingfisher	<i>Alcedo atthis</i>	Warbler, Savi's	<i>Locustella luscinioides</i>
Kite, Red	<i>Milvus milvus</i>	Whimbrel	<i>Numenius phaeopus</i>
Merlin	<i>Falco columbarius</i>	Woodlark	<i>Lullula arborea</i>
Oriole, Golden	<i>Oriolus oriolus</i>	Wryneck	<i>Jynx torquilla</i>
<b>Animal (Vertebrate) Species Listed in Schedule 5 (full legal protection at all times)</b>			
Horseshoe Bats (all species)	<i>Rhinolophidae</i>	Newt – Great Crested	<i>Triturus cristatus</i>
Typical Bats (all species)	<i>Vespertilionidae</i>	Snake – Smooth	<i>Coronella austriaca</i>
Dolphin – Bottle-nosed	<i>Tursiops truncatus (tursio)</i>	Toad, Natterjack	<i>Epidalea calamita</i>
Dolphin – Common	<i>Delphinus delphis</i>	Turtles – All Species	<i>Cheloniidae &amp; Dermochelyidae</i>
Dormouse – Hazel	<i>Muscardinus avellanarius</i>	Basking Shark	<i>Cetorhinus maximus</i>
Pine Marten	<i>Martes martes</i>	Burbot	<i>Lota lota</i>
Porpoise – Harbour	<i>Phocaena phocaena</i>	Goby – Giant	<i>Gobius cobitis</i>
Otter – Eurasian	<i>Lutra lutra</i>	Goby – Couch's	<i>Gobius couchii</i>
Squirrel – Red	<i>Sciurus vulgaris</i>	Seahorse – Short-snouted <sup>1</sup>	<i>Hippocampus hippocampus</i>
Walrus	<i>Odobenus rosmarus</i>	Seahorse – Spiny	<i>Hippocampus guttulatus</i>
Water Vole	<i>Arvicola amphibia</i>	Sturgeon	<i>Acipenser sturio</i>
Whales – All Species	<i>Cetacea</i>	Vendace	<i>Coregonus albula</i>
Wildcat	<i>Felis sylvestris</i>	Whitefish	<i>Coregonus lavaretus</i>
Lizard – Sand	<i>Lacerta agilis</i>		
<b>Animal (Vertebrate) Species Protected under Section 9 (1) part: Killing and Injuring &amp; Section 9 (5) Sale</b>			
Adder	<i>Vipera berus</i>	Slow-worm	<i>Anguis fragilis</i>
Lizard – Viviparous	<i>Zootoca vivipara</i>	Snake – Grass	<i>Natrix helvetica (natrix)</i>
<b>Animals (Vertebrate) Species Protected under Section 9 (5) Sale only</b>			
Frog – common	<i>Rana temporaria</i>	Newt – Smooth	<i>Lissotriton vulgaris</i>
Newt – Palmate	<i>Lissotriton helvetica</i>	Toad – Common	<i>Bufo bufo</i>
<b>Animals (Vertebrate) Species Protected under Section 9 (1) (4)(a): Killing, Injuring &amp; Taking and Damage / Destruction of place of shelter / protection only</b>			
Allis Shad	<i>Alosa alosa</i>	Shark – Angel	<i>Squatina squatina</i>
Twaite Shad	<i>Alosa fallax</i>		
<b>Butterflies &amp; Moths – Full Protection under Schedule 5<sup>2</sup> at all times</b>			
High brown fritillary	<i>Argynnis adippe</i>	Fisher's Estuarine Moth	<i>Gortyna borellii</i>
Large Blue	<i>Maculinea arion</i>	Barberry Carpet	<i>Pareulype berberata</i>

<sup>1</sup> Both sea horse species are protected in England only.

<sup>2</sup> Viper's Bugloss Moth *Hadena irregularis* was removed from Schedule 5 in 1996 as it is believed to be extinct.



Heath Fritillary	<i>Mellicta athalea</i>	Black-veined Moth	<i>Siona lineata</i>
Marsh Fritillary	<i>Eurodryas aurinia</i>	Sussex Emerald	<i>Thalera fimbrialis</i>
Swallowtail	<i>Papilio machaon britannicus</i>	Essex Emerald	<i>Thetidia smaragdalis</i>
Large Copper	<i>Lycaena dispar</i>	Fiery Clearwing	<i>Bembecia chrysidiformis</i>
Reddish-buff Moth	<i>Acosmetia calliginosa</i>	New-Forest Burnet	<i>Zygaena viciae</i>
<b>Butterflies – Protected under Section 9 (5) Sale Only</b>			
Purple Emperor	<i>Apatura iris</i>	Adonis Blue	<i>Lysandra bellargus</i>
Northern Brown Argus	<i>Aricia artaxerxes</i>	Chalkhill Blue	<i>Lysandra coridon</i>
Pearl-bordered Fritillary	<i>Boloria euphrosyne</i>	Glanville Fritillary	<i>Melitaea cinxia</i>
Chequered Skipper	<i>Carterocephalus palaemon</i>	Large Tortoiseshell	<i>Nymphalis polychloros</i>
Large Heath	<i>Coenonympha tullia</i>	Silver-studded Blue	<i>Plebejus argus</i>
Small Blue	<i>Cupido minimus</i>	Black Hairstreak	<i>Strymonidia pruni</i>
Mountain Ringlet	<i>Erebia epiphron</i>	White-letter Hairstreak	<i>Strymonidia w-album</i>
Duke of Burgundy	<i>Hamearis lucina</i>	Brown Hairstreak	<i>Thecla betulae</i>
Silver-spotted Skipper	<i>Hesperia comma</i>	Lulworth Skipper	<i>Thymelicus acteon</i>
Wood White	<i>Leptidea sinapis</i>		
<b>Other Invertebrates – Full Protection under Schedule 5 at all times</b>			
Rainbow Leaf-beetle	<i>Chrysolina cerealis</i>	Tadpole Shrimp	<i>Triops cancriformis</i>
Spangled Diving-beetle	<i>Graphopterus zonatus</i>	Trembling Sea-mat	<i>Victorella pavida</i>
Lesser Silver Water-beetle	<i>Hydrochara caraboides</i>	De Folin's Lagoon Snail	<i>Caecum armoricum</i>
Moccas Beetle	<i>Hypebaeus flavipes</i>	Sandbowl Snail	<i>Catinella arenaria</i>
Violet Click-beetle	<i>Limoniscus violaceus</i>	Freshwater Pearl Mussel	<i>Margaritifera margaritifera</i>
Bembridge Beetle	<i>Parcymus aeneus</i>	Glutinous Snail	<i>Myxas glutinosa</i>
New Forest Cicada	<i>Cicadetta montana</i>	Lagoon Snail	<i>Paludinella littorina</i>
Wart-Biter	<i>Decticus verrucivorus</i>	Lagoon Sea Slug	<i>Tenellia adspersa</i>
Mole-Cricket	<i>Gryllotalpa gryllotalpa</i>	Northern Hatchet-shell	<i>Thyasira gouldi</i>
Field-Cricket	<i>Gryllus campestris</i>	Tentacled Lagoon-worm	<i>Alkmaria romijni</i>
Norfolk Hawker Dragonfly	<i>Aeshna isosceles</i>	Lagoon Sand-worm	<i>Armandia cirrhosa</i>
Southern Damselfly	<i>Coenagrion mercuriale</i>	Medicinal Leech	<i>Hirudo medicinalis</i>
Fen Raft Spider	<i>Dolomedes fimbriatus</i>	Marine Hydroid	<i>Clavopsella navis</i>
Ladybird Spider	<i>Eresus niger (cinaberinus)</i>	Ivell's Sea Anemone	<i>Edwardsia ivelli</i>
Fairy Shrimp	<i>Chirocephalus diaphanus</i>	Starlet Sea Anemone	<i>Nematosella vectensis</i>
Lagoon Sand Shrimp	<i>Gammarus insensibilis</i>	Atlantic Stream (White-clawed) Crayfish	<i>Austropotamobius pallipes</i>
<b>Other Invertebrates Protected under Section 9 (1) Possession &amp; 9 (2) (5) Sale only</b>			
Stag Beetle	<i>Lucanus cervus</i>	Roman Snail <sup>3</sup>	<i>Helix pomatia</i>
Fan Mussel	<i>Atrina fragilis</i>	Pink Sea-fan	<i>Eunicella verrucosa</i>
<b>Other Invertebrates Protected under Section 9 (4) (a) Damage / Destruction of Place of Shelter / Protection only</b>			
Mire Pill Beetle	<i>Curimopsis nigrita</i>		
<b>Vascular Plant Species - Full Protection under Schedule 8 at all times (previous Scientific name in brackets)</b>			
Adder's-tongue Least	<i>Ophioglossum lusitanicum</i>	Lily – Snowdon	<i>Gagea serotina (Lloydia serotina)</i>
Alison- Small	<i>Alyssum alyssoides</i>	Marsh-mallow – Rough	<i>Malva setigera (Althaea hirsuta)</i>

<sup>3</sup> England only



Broomrape – Bedstraw	<i>Orobanche caryophyllacea</i>	Milk-parsley – Cambridge	<i>Selinum carvifolia</i>
Broomrape – Oxtongue	<i>Orobanche picridis</i>	Mudwort – Welsh	<i>Limosella aquatica</i>
Broomrape – Thistle	<i>Orobanche reticulata</i> <sup>4</sup>	Naiad – Holly-leaved	<i>Najas marina</i>
Cabbage – Lundy	<i>Coincya wrightii</i> ( <i>Rhynchosinapis wrightii</i> )	Orache – Stalked	<i>Atriplex pedunculata</i> ( <i>Halimione pedunculata</i> )
Calamint – Wood	<i>Clinopodium menthifolium</i> ( <i>Calamintha sylvatica</i> )	Orchid – Early Spider	<i>Ophrys sphegodes</i>
Catchfly – Alpine	<i>Silene suecica</i> ( <i>Lychnis alpina</i> )	Orchid – Ghost	<i>Epipogium aphyllum</i>
Centaury – Slender	<i>Centaureum tenuiflorum</i>	Orchid – Lapland Marsh	<i>Dactylorhiza lapponica</i>
Cinquefoil – Rock	<i>Potentilla rupestris</i>	Orchid – Late Spider	<i>Ophrys fuciflora</i>
Clary – Meadow	<i>Salvia pratensis</i>	Orchid – Lizard	<i>Himantoglossum hircinum</i>
Club-rush – Triangular	<i>Schoenoplectus triqueter</i> ( <i>Scirpus triqueter</i> )	Orchid – Military	<i>Orchis militaris</i>
<b>Colt's-foot</b> – Purple	<i>Homogyne alpina</i>	Orchid – Monkey	<i>Orchis simia</i>
Cotoneaster – Wild	<i>Cotoneaster cambricus</i> ( <i>C. integerrimus</i> )	Pear – Plymouth	<i>Pyrus cordata</i>
Cotton-grass – Slender	<i>Eriophorum gracile</i>	Pennycress – Perfoliate	<i>Microthlaspi perfoliatum</i> ( <i>Thlaspi perfoliatum</i> )
Cow-wheat – Field	<i>Melampyrum arvense</i>	Pennyroyal	<i>Mentha pulegium</i>
Crocus – Sand	<i>Romulus columnae</i>	Pigmyweed	<i>Crassula aquatica</i>
Cudweed – Broad-leaved	<i>Filago pyramidata</i>	Pine - Ground	<i>Ajuga chamaepitys</i>
Cudweed – Jersey	<i>Gnaphalium luteoalbum</i>	Pink – Cheddar	<i>Dianthus gratianopolitanus</i>
Cudweed – Red-tipped	<i>Filago lutescens</i>	Pink – Childing	<i>Petrorhagia nanteuillii</i>
Cut-grass	<i>Leersia oryzoides</i>	Ragwort – Fen	<i>Jacobaea paludosa</i> ( <i>Senecio paludosa</i> )
Deptford Pink	<i>Dianthus armeria</i>	<b>Ramping-fumitory – Martin's</b>	<i>Fumaria reuteri</i> ( <i>F. martinii</i> )
Diapensia	<i>Diapensia lapponica</i>	Rampion – Spiked	<i>Phyteuma spicata</i>
Eryngo – Field	<i>Eryngium campestre</i>	Restharrow – Small	<i>Ononis reclinata</i>
Fern – <b>Dickie's</b> -bladder	<i>Cystopteris dickieana</i>	Rock-cress – Alpine	<i>Arabis alpina</i>
Fleabane – Alpine	<i>Erigeron borealis</i>	Rock-cress – Bristol	<i>Arabis scabra</i>
Fleabane – Small	<i>Pulicaria vulgaris</i>	Sandwort – Norwegian	<i>Arenaria norvegica</i> <sup>5</sup>
Galingale – Brown	<i>Cyperus fuscus</i>	Sandwort – Teesdale	<i>Minuartia stricta</i>
Gentian – Alpine	<i>Gentiana nivalis</i>	Saxifrage – Drooping	<i>Saxifraga cernua</i>
Gentian - Dune	<i>Gentianella amarella</i> subsp. <i>occidentalis</i> ( <i>Gentianella uliginosa</i> )	Saxifrage – Tufted	<i>Saxifraga cespitosa</i>
Gentian – Fringed	<i>Gentianopsis ciliata</i> ( <i>Gentianella ciliata</i> )	<b>Solomon's-seal</b> – Whorled	<i>Polygonatum verticillatum</i>
Gentian - Spring	<i>Gentiana verna</i>	Sow-thistle – Alpine	<i>Cicerbita alpina</i>
Germander – Cut-leaved	<i>Teucrium botrys</i>	Spearwort – <b>Adder's-tongue</b>	<i>Ranunculus ophioglossifolius</i>
Germander – Water	<i>Teucrium scordium</i>	Speedwell – Fingered	<i>Veronica triphyllos</i>
Gladiolus – Wild	<i>Gladiolus illyricus</i>	Speedwell – Spiked	<i>Veronica spicata</i> <sup>6</sup>
Goosefoot – Stinking	<i>Chenopodium vulvaria</i>	Spike-rush – Dwarf	<i>Eleocharis parvula</i>

<sup>4</sup> The Weeds Act 1959 does not apply to thistles *Cirsium* & *Carduus* species supporting this broomrape.

<sup>5</sup> All subspecies occurring in the UK

<sup>6</sup> Both subspecies: *spicata* & *hybrida*



Grass-poly	<i>Lythrum hyssopifolia</i>	South-stack Fleawort	<i>Tephrosia integrifolia</i> <i>ssp. maritima</i>
<b>Hare's-ear</b> – Sick-leaved	<i>Bupleurum falcatum</i>	Star-of-Bethlehem – Early	<i>Gagea bohemica</i>
<b>Hare's-ear</b> – Small	<i>Bupleurum baldense</i>	Starfruit	<i>Damasonium alisma</i>
<b>Hawk's-beard</b> – Stinking	<i>Crepis foetida</i>	Strapwort	<i>Corrigiola littoralis</i>
Hawkweed – Northroe	<i>Hieracium northroense</i>	Violet – Fen	<i>Viola persicifolia</i>
Hawkweed – Shetland	<i>Hieracium zetlandicum</i>	<b>Viper's-grass</b>	<i>Scorzonera humilis</i>
Hawkweed – Weak-leaved	<i>Hieracium attenuatifolium</i>	Water-plantain – Ribbon-leaved	<i>Alisma gramineum</i>
Heath – Blue	<i>Phyllodoce caerulea</i>	Wood-sedge – Starved	<i>Carex depauperata</i>
Helleborine – Red	<i>Cephalanthera rubra</i>	Woodsia – Alpine	<i>Woodsia alpina</i>
Horsetail – Branched	<i>Equisetum ramosissimum</i>	Woodsia – Oblong	<i>Woodsia ilvensis</i>
<b>Hound's-tongue</b> – Green	<i>Cynoglossum germanicum</i>	Wormwood – Field	<i>Artemisia campestris</i>
Knawel – Perennial	<i>Scleranthus perennis</i> <sup>7</sup>	Woundwort - Downy	<i>Stachys germanica</i>
Knot-grass – Sea	<i>Polygonum maritimum</i>	Woundwort – Limestone	<i>Stachys alpina</i>
Leek – Round-headed	<i>Allium sphaerocephalon</i>	Yellow-rattle – Greater	<i>Rhinanthus angustifolius</i>
Lettuce – Least	<i>Lactuca saligna</i>		
<b>Vascular Plant Species – Partial Protection under Section 13 (2) Protection from commercial exploitation and sale</b>			
Bluebell	<i>Hyacinthoides non-scripta</i>		
<b>Bryophytes – Full Protection under Schedule 8 at all times</b>			
Anamodon – Long-leaved	<i>Anomodon langifolius</i>	Flamingo Moss	<i>Desmatodon cernuus</i>
Blackwort	<i>Southbya nigrella</i>	Frostwort	<i>Gymnomitrium apiculatum</i>
Crystalwort – Lizard	<i>Riccia bifurca</i>	Glaucous Beard Moss	<i>Barbula glauca</i>
Earwort – Marsh	<i>Jamesoniella undulifolia</i>	Green Shield Moss	<i>Buxbaumia viridis</i>
Feathermoss – Polar	<i>Hygrohypnum polare</i>	Hair Silk Moss	<i>Plagiothecium pilliferum</i>
Flapwort – Norfolk	<i>Leiocolea rutheana</i>	Knothole Moss	<i>Zygodon forsteri</i>
Grimmia – Blunt-leaved	<i>Grimmia unicolor</i>	Large Yellow Feather Moss	<i>Scorpidium turgescens</i>
Petalwort	<i>Petalophyllum ralfsii</i>	Millimetre Moss	<i>Micromitrium tenerum</i>
<b>Lindenberg's Leafy-Liverwort</b>	<i>Adelanthus lindenbergianus</i>	Multi-fruited River Moss	<i>Cryphaea lamyana</i>
Feather-moss Slender Green	<i>Drepanocladus vernicosus</i>	<b>Nowell's Limestone Moss</b>	<i>Zygodon gracilis</i>
Alpine Copper-Moss	<i>Melichoferia mellicoferia</i>	Rigid Apple Moss	<i>Bartramia stricta</i>
Baltic Bog-Moss	<i>Sphagnum balticum</i>	Round-leaved feather Moss	<i>Rhynchostegium rotundifolium</i>
Blue Dew-Moss	<i>Saelania glaucescens</i>	<b>Schleicher's Thread Moss</b>	<i>Bryum schleicheri</i>
Blunt-leaved bristle-Moss	<i>Orthotrichum obtusifolium</i>	Triangular Pygmy Moss	<i>Acaulon triquetrum</i>
Bright-Green Cave-Moss	<i>Cyclodictyon laetevirens</i>	Turpswort	<i>Geocalyx graveolens</i>
Cordate Beard Moss	<i>Barbula cordata</i>	<b>Vaucher's Feather Moss</b>	<i>Hypnum vaucheri</i>
Cornish Path Moss	<i>Ditrichum cornubicum</i>	Western Rustwort	<i>Marsupella profunda</i>
Derbyshire Feather Moss	<i>Thamnobryum angustifolium</i>		

<sup>7</sup> Includes both subspecies: *perennis* & *prostratus*



Stoneworts – Full Protection under Schedule 8 at all times			
Bearded Stonewort	<i>Chara canescens</i>	Foxtail Stonewort	<i>Lamprothamnium papulosum</i>
Lichens – Full Protection under Schedule 8 at all times			
New Forest Beech Lichen	<i>Enterographa elaborata</i>	Forked Hair Lichen	<i>Bryoria furcellata</i>
Snow Caloplaca	<i>Caloplaca nivalis</i>	Golden Hair Lichen	<i>Teloschistes flavicans</i>
Tree Catapyrenium	<i>Catapyrenium psoromoides</i>	Orange-fruited Elm Lichen	<i>Caloplaca luteoalba</i>
<b>Laurer's Catillaria</b>	<i>Catillaria laurei</i>	River Jelly Lichen	<i>Collema dichotomum</i>
Convolute Cladonia	<i>Cladonia convoluta</i>	Starry Breck Lichen	<i>Buellia asterella</i>
Upright Mountain Cladonia	<i>Cladonia stricta</i>	Caledonia Pannaria	<i>Pannaria ignobilis</i>
Goblin Lights	<i>Catolechia wahlenbergii</i>	New Forest Parmelia	<i>Parmelia minarum</i>
Elm Gyalecta	<i>Gyalecta ulmi</i>	Oil Stain Parmentaria	<i>Parmentaria chilensis</i>
Tarn Lecanora	<i>Lecanora archariana</i>	Southern Grey Physcia	<i>Physcia tribacioides</i>
Copper Lecidea	<i>Lecidea inops</i>	Ragged Pseudo-cyphellaria	<i>Pseudocyphellaria lacerata</i>
Arctic Kidney Lichen	<i>Nephroma arcticum</i>	Rusty Alpine Psora	<i>Psora rubiformis</i>
Ciliate Strap Lichen	<i>Heterodermia leucomelos</i>	Rock Nail	<i>Calicium corynellum</i>
Coralloid Rosette Lichen	<i>Heterodermia propagulifera</i>	Serpentine Selanopsora	<i>Selanopsora liparina</i>
Ear-lobed Dog Lichen	<i>Peltigera lepidophora</i>	Sulphur Tresses	<i>Alectoria ochroleuca</i>
Lichens – Partial Protection under Section 13 (2) Commercial Exploitation and Sale Only			
Tree Lungwort	<i>Lobaria pulmonaria</i>		
Fungi – Full Protection under Schedule 8 at all times			
Royal Bolete	<i>Boletus regius</i>	Oak Polypore	<i>Buglossosporus pulvinus</i>
Hedgehog Fungus	<i>Hericium erinaceum</i>	Sandy Stilt Ball	<i>Battaria phalloides</i>
Invasive plant species listed in Schedule 9			
Australian swamp stonecrop or New Zealand pygmyweed	<i>Crassula helmsii</i>	Japanese rose	<i>Rosa rugosa</i>
Californian red seaweed	<i>Pikea californica</i>	Japanese seaweed	<i>Sargassum muticum</i>
Curly waterweed	<i>Lagarosiphon major</i>	Laver seaweeds (except native species)	<i>Porphyra</i> spp
Duck potato	<i>Sagittaria latifolia</i>	<b>Parrot's-feather</b>	<i>Myriophyllum aquaticum</i>
Entire-leaved cotoneaster	<i>Cotoneaster integrifolius</i>	Perfoliate alexanders	<i>Smyrniun perfoliatum</i>
False Virginia creeper	<i>Parthenocissus inserta</i>	Pontic rhododendron	<i>Rhododendron ponticum</i>
Fanwort or Carolina water-shield	<i>Cabomba caroliniana</i>	Purple dewplant	<i>Disphyma crassifolium</i>
Few-flowered garlic	<i>Allium paradoxum</i>	Red algae	<i>Grateloupia luxurians</i>
Floating pennywort	<i>Hydrocotyle ranunculoides</i>	Rhododendron	<i>Rhododendron ponticum</i> × <i>Rhododendron maximum</i>
Floating water primrose	<i>Ludwigia peploides</i>	Small-leaved cotoneaster	<i>Cotoneaster microphyllus</i>
Giant hogweed	<i>Heracleum mantegazzianum</i>	Three-cornered garlic	<i>Allium triquetrum</i>
Giant kelp	<i>Macrocystis</i> spp.	Variogated yellow archangel	<i>Lamiastrum galeobdolon</i> subsp. <i>argentatum</i>
Giant knotweed	<i>Fallopia sachalinensis</i>	Virginia creeper	<i>Parthenocissus quinquefolia</i>
Giant rhubarb	<i>Gunnera tinctoria</i>	Wakame	<i>Undaria pinnatifida</i>
Giant salvinia	<i>Salvinia molesta</i>	Wall cotoneaster	<i>Cotoneaster horizontalis</i>
Green seafringers	<i>Codium fragile</i>	Water fern	<i>Azolla filiculoides</i>



Himalayan cotoneaster	<i>Cotoneaster simonsii</i>	Water hyacinth	<i>Eichhornia crassipes</i>
Hollyberry cotoneaster	<i>Cotoneaster bullatus</i>	Water lettuce	<i>Pistia stratiotes</i>
Hooked asparagus seaweed	<i>Asparagopsis armata</i>	Water primrose	<i>Ludwigia grandiflora</i>
Hottentot fig	<i>Carpobrotus edulis</i>	Water primrose	<i>Ludwigia uruguayensis</i>
Hybrid knotweed	<i>Fallopia japonica</i> × <i>Fallopia sachalinensis</i>	Waterweeds	<i>Elodea</i> spp.
Indian (Himalayan) balsam	<i>Impatiens glandulifera</i>	Yellow azalea	<i>Rhododendron luteum</i>
Japanese knotweed	<i>Reynoutria japonica</i>		

#### Protection of Badgers Act 1992

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

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

#### Natural Environment and Rural Communities Act 2006

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) of Habitats and Species which are of Principal Importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies including local and regional authorities, in implementing their duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 Habitats of Principal Importance and 1,150 Species of Principal Importance.

#### Hedgerow Regulations 1997

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



### Birds of Conservation Concern

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

The latest report was produced in 2015 (Eaton *et al*, 2015) and identified 67 red list species, 96 amber species, and 81 green species. The criteria are complex, but generally:

- **Red list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of more than 50% in the last 25 years.
- **Amber list** species are those that have shown a decline of the breeding population, non-breeding population or breeding range of between 25% and 50% in the last 25 years. Species that have a UK breeding population of less than 300 or a non-breeding population of less than 900 individuals are also included, together with those whose 50% of the population is localised in 10 sites or fewer and those whose 20% of the European population is found in the UK.
- **Green list** species are all regularly occurring species that do not qualify under any of the red or amber criteria are green listed

### Global IUCN Red List

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

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

### Local Biodiversity Action Plan (LBAP)

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

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

### Wild Mammals (Protection) Act 1996

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

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

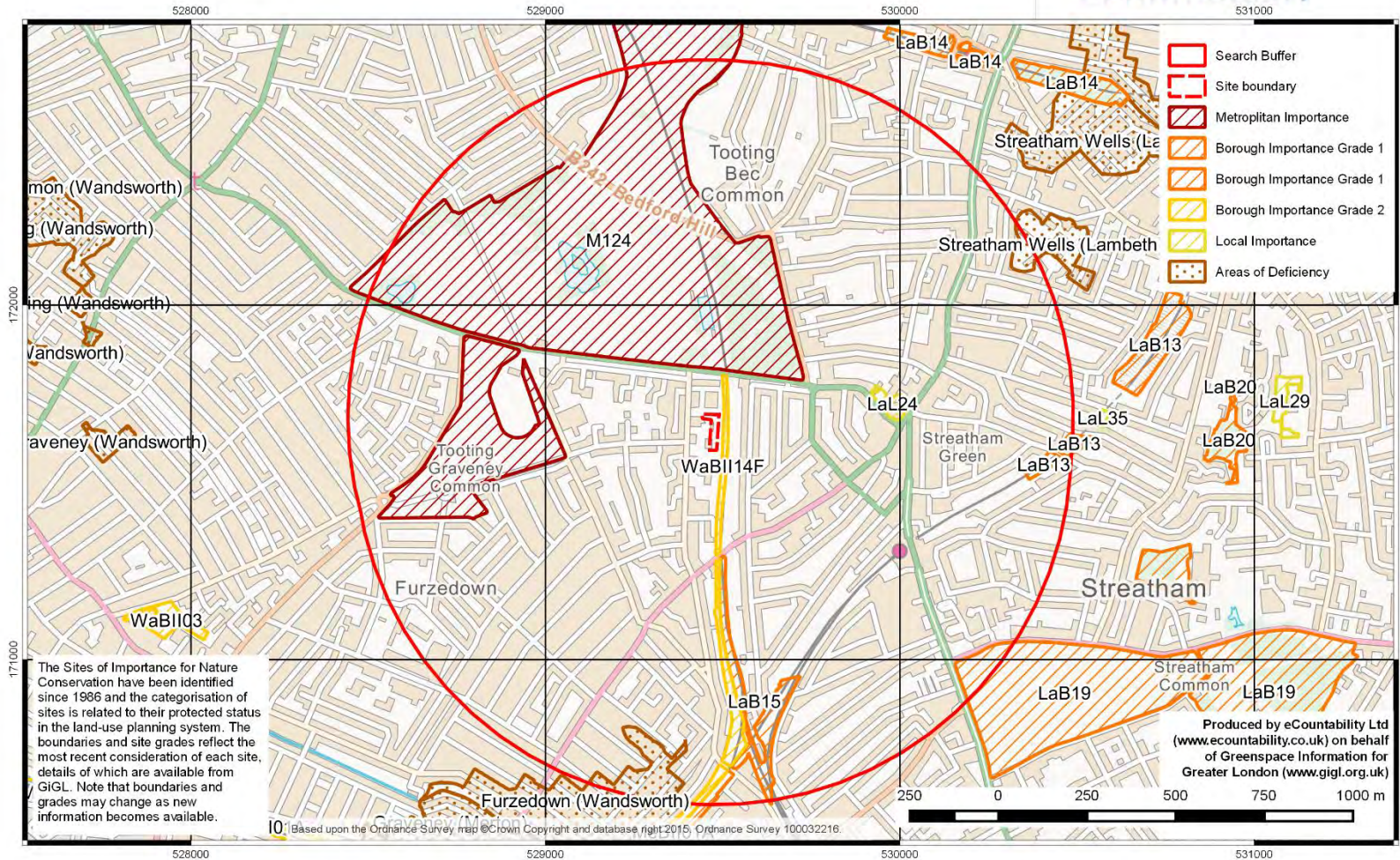
**It's application is typically restricted** to preventing deliberate harm to wildlife (in general) during construction works etc.



# Appendix C – Relevant Desk Study Data





**Sites of Importance for Nature Conservation**  
 Ecological Data Search for WYG  
 The Alders site, 07 July 2019











## Appendix D – Target Notes

Target Note	Description	Photograph
1	<p>Broad-leaved plantation woodland TQ 29490 71602</p> <p>A small area of broad-leaved plantation woodland is present in the south-eastern corner of the site, with an understorey of bare ground, bramble <i>Rubus fruticosus</i> agg, common ivy <i>Hedera helix</i> and common nettle <i>Urtica dioica</i>.</p> <p>The area includes scattered young trees and saplings of English elm <i>Ulmus minor</i> 'Atinia' and European ash <i>Fraxinus excelsior</i>.</p> <p>The two mature trees include:</p> <ul style="list-style-type: none"> <li>• a common lime <i>Tilia x europaea</i> with an unused birds nest; and</li> <li>• a mature European horse-chestnut <i>Aesculus hippocastanum</i>, (see TN8).</li> </ul>	
2	<p>Scattered trees TQ 29498 71685</p> <p>Two trees are located in the north-eastern corner of the site, including:</p> <ul style="list-style-type: none"> <li>• a common lime; and</li> <li>• a European horse-chestnut.</li> </ul>	



Target Note	Description	Photograph
3	<p>Amenity Grassland TQ 29483 71593</p> <p>A small patch of regularly mown amenity grassland is located in the south of the site.</p> <p>Species include common dandelion <i>taraxacum sp.</i>, perennial rye-grass <i>Lolium perenne</i>, white clover <i>trifolium repens</i>, common daisy <i>Bellis perennis</i>, greater plantain <i>Plantago major</i>, yarrow <i>Achillea millefolium</i>, black medick <i>Medicago lupulina</i>, nipplewort <i>Lapsana communis</i>, dove's-foot crane's-bill <i>Geranium mole</i>, buck's-horn plantain <i>Plantago coronopus</i>, common self-heal <i>Prunella vulgaris</i>, ragwort <i>Jacobaea vulgaris</i>, green alkanet <i>Pentaglottis sempervirens</i>, common strawberry <i>Fragaria x ananassa</i>, common bent <i>Agrostis capillaris</i>.</p>	
4	<p>Bare Ground TQ 29498 71685</p> <p>Bare ground is located beneath the two scattered trees in the north-eastern corner of the site, adjacent to the railway line.</p> <p>Occasional species include tree-of-heaven <i>Ailanthus altissima</i>, garlic mustard <i>Alliaria petiolate</i> and nipplewort.</p>	
5	<p>Hard Standing TQ 29486 71630</p> <p>Hard standing concrete forecourt is located through the centre of the site.</p>	



Target Note	Description	Photograph
6	<p>'Other' habitat                      TQ 29474 71594                      Area of leaf litter surrounded by fence in south of site.</p>	
7	<p>Buildings                      Four buildings on-site. Further detail is provided in Table 4 (Section 3.3.3).</p>	
8	<p>TQ 29500 71599                      A mature European horse-chestnut, with hole in trunk high up. Surveyor was unable to access.</p>	



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