

Ecological Assessment

BE-1088-03A

Oakwood Lodge, Longley Lane,
Wythenshawe, Manchester, M22 4HY



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Site address	Oakwood Lodge, Longley Lane, Wythenshawe, Manchester, M22 4HY
Grid reference	SJ 83407 89488
Report composed by	David Watts MICFor MArborA MCIEEM
Client	Wythenshawe Community Housing Group
Date	12 th August 2021

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Executive Summary

DWA Ecology have been instructed by Wythenshawe Community Housing Group to produce an Ecological Assessment relating to a proposed development at Oakwood Lodge, Longley Lane, Wythenshawe, Manchester M22 4HY.

The site survey found the site to consist predominantly of hardstanding areas interspersed with small areas of amenity grassland and ornamental shrubs. These habitats are considered to be of low ecological value, and it is recommended that their removal is mitigated by further planting as part of the proposed development.

The scoping survey of the building did not identify bats or signs of roosting bats. Features on the building were determined to have low potential for roosting bats. Further dusk/dawn activity surveys identified a single soprano pipistrelle roosting within the building. The development proposals will necessitate destruction of the bat roost, and a Natural England European Protected Species Licence (EPSL) and further mitigation will be required.

Hedgehogs (*Erinaceus europaeus*) were identified on the site. It is recommended that proposed properties are delineated by hedgerows, or that hedgehog access panels within fences are used to avoid fragmentation of hedgehog habitat.

Common bird species were identified during the survey, and trees on the site have potential for nesting birds. It is recommended that tree removals either avoid the nesting bird season (1st March – 31st August), or are carried out within this period provided that a survey has confirmed nesting birds to be absent within 48 hours prior to the commencement of works.

1. Introduction

1.1. Background

DWA Ecology (Previously Bagshaw Ecology Ltd) have been instructed by Wythenshawe Community Housing Group to produce an Ecological Assessment relating to a proposed development at Oakwood Lodge, Longley Lane, Wythenshawe, Manchester, M22 4HY, hereafter referred to as 'the site'.

The purpose of the report is to identify the habitat types on the site, along with the presence or absence of any protected or notable species. The impacts of the proposed development are assessed, and recommendations are made regarding mitigation, compensation and ecological enhancement.

A previous Preliminary Ecological Appraisal was produced by Bagshaw Ecology Ltd in 2019. This report reproduces any relevant information from the previous report, and therefore supersedes the previous report.

1.2. Site Details

The site is located at grid reference SJ 83407 89488 and is accessed off the northeast of Longley Lane in Wythenshawe. The site is bordered by an amenity field to the northeast, by a nursery to the southwest and by residential properties on all other aspects.

The site consists of a disused resource centre and its associated gardens and parking areas.

1.3. Development Proposals

The development proposals are to demolish the existing building on the site and to construct 14 two-bedroom properties and six three-bedroom properties, in addition to their associated gardens and parking spaces. The existing access road is to be extended off the north and east of Longley Lane.

1.4. Legislation

A summary of relevant legislation and policy can be viewed in **Appendix 3: Legislation and Policy**.

1.5. Qualifications of the Author

David Watts is a suitably qualified ecologist who is a full member of CIEEM, holds a BSc (Hons) Ecology, a PGCert Biological Recording, and holds Natural England class licences to survey bats, great crested newts (*Triturus cristatus*) and barn owls (*Tyto alba*).

2. Methods

2.1. Desk-Based Study

The Department for Environment, Food and Rural Affairs' (DEFRA) Magic Maps and Natural England websites were consulted as to any land-based designations and priority habitats within a 2km radius of the site.

Aerial imagery was assessed using OS maps and Google Earth Pro to give an appraisal of the surrounding land use.

As the site consists of modified and cultivated habitats, and as the surrounding area is highly urbanised, in accordance with CIEEM's guidelines on Preliminary Ecological Appraisal (CIEEM, 2017) a full consultation with the local biological records centre was not undertaken.

2.2. Habitat Survey

The initial site survey was carried out in suitable weather conditions by David Watts MCIEEM on 25th July 2019. An update walkover of the site was undertaken by Hayley Care ACIEEM on 30th June 2021.

The study area was surveyed in accordance with UK Habitat Classification (UKHab, 2018) guidelines. Habitat types were assigned a primary code to a hierarchical level of at least two, and where necessary secondary codes to further clarify the habitat.

Habitats and species present on or adjacent to the site were assessed using CIEEM's (2018) guidelines. Ecological features were classed as being of either international, national, regional, district, local or low importance (see Table 2.1).

Table 2.1 Importance of ecological features

Value of feature	Key examples
International	Internationally designated sites (e.g. SPA, SAC); internationally significant habitat listed in Annex 1 of the Habitats Directive; a regularly occurring globally threatened species
National	A nationally designated site (SSSI, NNR, LNR), a regularly occurring significant number/population of a nationally important species; a feature identified as being of critical importance.
Regional/County	Viable areas of key habitat identified in the regional or county BAP; a regularly occurring significant population/number of any species important at regional/county level; sites of conservation importance which exceed the district selection.
District	Areas of habitat identified in District/City/Borough BAP; sites/features which are scarce within the District/City/Borough; a regularly occurring significant population/number of any species important at District/City/Borough level.
Local	Areas identified in a Local BAP; sites/features which are scarce in the locality or which are considered to enrich the habitat resource within the local context (e.g. species-rich hedgerows); any populations, species or habitats of local importance.
Low	Habitats of moderate to low diversity which support a range of locally and nationally common species, the loss of which can be easily mitigated.

2.3. Bat Survey

The bat scoping survey was based upon methodologies prescribed by Collins (2016), Mitchell-Jones (2004) and Mitchell-Jones and McLeish (2004). This involved an inspection of the exterior and interior

of the building. Any structural features with potential for use by roosting bats were recorded and any suitable access points were identified. Where possible, features were inspected with a Ridgid CA300 endoscope. Any direct evidence of bats, such as scratch marks, oil stains, droppings and feeding remains were also identified.

Taking account of the structural features of the building and the surrounding habitat, the building was assigned a level of roost suitability based upon professional judgement (see table 2.1).

Table 2.1 Bat roost suitability and descriptions

Bat Roost Suitability	Description
Confirmed presence	Bat presence confirmed during the scoping survey
High	Buildings that have many areas suitable for roosting which are obviously suitable for use by a larger number of bats including maternity colonies.
Moderate	Buildings with a smaller number of areas suitable for roosting, but still supporting feature that could be attractive to bats and potentially support maternity colonies.
Low	Buildings with limited roosting opportunities but which could be used on a sporadic or occasional basis by a low number of bats, but which are unsuitable for maternity roosts.
Negligible	Buildings which appear unsuitable for roosting bats due to a clear lack of roosting spaces such as voids and/or absence of suitable access points.

One dawn re-entry survey and one dusk emergence survey were undertaken between June and August 2021. The surveys were led by Hayley Care ACIEEM. Surveyors were equipped with time expansion bat detectors. The building was monitored for any signs of emerging and/or re-entering bats. Any additional bat activity, such as foraging and commuting bats, was also recorded. Table 2.2, below, shows a summary of the survey details.

Table 2.2. Activity survey details

Date	Sunrise time	Start time	Finish time	Surveyors	Equipment	Weather
30/06/2021	04:45	03:05	05:00	Hayley Care	Echo Meter Touch 2 Pro	Dry. Start temp. .6°C. Finish temp. 9.3°C. Wind Beaufort 1 Cloud 5%
				S. Kirk	Echo Meter Touch 2 Pro	
				Kath Smyki	Echo Meter Touch 2	
				Laura Dennis	Anabat Scout	
				Jeff Clarke	Anabat Walkabout	
				Peter Giles	Anabat Walkabout	
				Sophie Kirk	Echo Meter Touch 2 Pro	
03/08/2021	21:02	20:47	22:32	Hayley Care	Echo Meter Touch 2 Pro	Dry. Start temp. 18.7°C. Finish temp. 12.8°C. Wind Beaufort 1 Cloud Okta 2/8
				S. Kirk	Echo Meter Touch 2 Pro	
				Kath Smyki	Batbox Duet	
				Rich Laws	Echo Meter Touch 2 Pro	
				Laura Dennis	Anabat Scout	
				E.Barratt	Echo Meter Touch 2	
				Jeff Clarke	Anabat Walkabout	

2.4. Other Protected and Notable Species

A survey of the site was undertaken for signs of and suitable habitat for any protected and notable species.

A walkover inspection was made for any protected mammal species, including badgers (*Meles meles*), otters (*Lutra lutra*) and water voles (*Arvicola amphibius*).

The site was assessed for its suitability for reptiles and amphibians. Any ponds within 250m of the site were identified through an assessment of Ordnance Survey maps and aerial imagery.

The site was assessed for its suitability for nesting birds. Any bird species identified during the survey were recorded.

The habitats on the site were assessed for their suitability for invertebrates, although a detailed invertebrate survey was not undertaken.

2.5. Invasive Species

Any invasive species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) on or immediately adjacent to the site were recorded.

2.6. Constraints

The site survey was constrained by the season in which it took place. Although undertaken within the optimal period for habitat surveys, some species are only visible at certain times of year and may not have been present at the time of the survey.

3. Results

3.1. Designated Sites

A search on Magic Maps (DEFRA, 2021) identified two Local Nature Reserves (LNRs) within 1km of the site. These include Stenner Woods and Milgate Fields, an LNR approximately 430m east of the site, and Gatley Carrs, an LNR approximately 730m southeast of the site.

3.2. Habitats within the Surrounding Area

The surrounding land use is predominantly residential. Tree cover in the immediate surrounding area is moderate, with trees on streets and in gardens of residential properties forming linear networks, providing terrestrial connectivity to and from the site. Didsbury Golf Course is located approximately 110m southeast of the site, parts of which are listed by DEFRA (2021) as Deciduous Woodland Priority Habitat.

3.3. Habitats within the Site

The habitats on the site are highly urbanised, consisting of buildings with modified grassland (**g4 modified grassland**). Species were typical of cultivated areas, including Yorkshire fog (*Holcus lanatus*), red fescue (*Festuca rubra*), false oat grass (*Arrhenatherum elatius*), perennial ryegrass (*Lolium perenne*), common bent (*Agrostis capillaris*), ribwort plantain (*Plantago lanceolata*), spear thistle (*Cirsium vulgare*), common daisy (*Bellis perennis*), broadleaved dock (*Rumex obtusifolius*), greater willowherb (*Epilobium hirsutum*), rosebay willowherb (*Chamerion angustifolium*), red valerian (*Centranthus ruber*), nipplewort (*Lapsana communis*), wood avens (*Geum urbanum*), horsetail (*Equisetum arvense*), dandelion (*Taraxacum officinale* agg.) and common nettle (*Urtica dioica*). The grassland was interspersed with small areas of ornamental shrubs, with species including box-leaved honeysuckle (*Lonicera nitida*), fatsia (*Fatsia japonica*), pampas grass (*Cortaderia selloana*), butterfly bush (*Buddleia davidii*), Fortune's spindle (*Euonymus fortunei*), Norway maple (*Acer platanoides*) and fishbone cotoneaster (*Cotoneaster horizontalis*).

There were ornamental trees planted throughout the site (**11 scattered trees**), with species including pedunculate oak (*Quercus robur*), red oak (*Quercus rubra*), ash (*Fraxinus excelsior*), silver birch (*Betula pendula*), hornbeam (*Carpinus betulus*), wild cherry (*Prunus avium*) and giant redwood (*Sequoiadendron giganteum*).

Photographs of habitats can be viewed in **Appendix 1: Photographs**. A plan detailing the habitats can be viewed in **Appendix 2: Habitat Plan**.

3.4. Invasive Species

No invasive species were identified within the site.

3.5. Bats

DEFRA (2021) hold records of two granted European Protected Species Licences (EPSLs) for bats within 2km of the site:

- EPSM2010-2098 allowed destruction of a resting place of common pipistrelle (*Pipistrellus pipistrellus*). The licence was granted in 2010 and ended in 2012.

- 2107-3077-22EPS-MIT allowed destruction of resting places of common pipistrelle and soprano pipistrelle (*Pipistrellus pygmaeus*). The licence was granted in 2017 and end in 2022.

There is a single, complex building on the site which for the purposes of the survey has been divided into five sections. A plan showing the building sections can be viewed in **Appendix 3: Habitat Plan**.

No bats or signs of bats were identified within the building. Due to the presence of features with limited potential for roosting bats, the scoping survey found the building to have low potential for roosting bats. Table 3.1, below, shows a summary of the building sections.

Table 3.1 Scoping survey of the buildings

Section	Description
Section 1	The main corridor running on a northwest-southeast axis through the centre of the building. The building was accessed through a door on the south aspect. Consisted of a single storey building with a half-pitched roof. The interior of the building was well-lit on the ground floor, and had a false ceiling with a small roof void above. Several areas of the roof void were accessed, and were found to be in good condition and well-sealed with bitumen roofing felt, however the majority of the areas were inaccessible due to obstruction by dense pipes and wires. This section had two annexes to the south. One consisted of the main hall and kitchen, which had a false ceiling similar to the corridor, although the majority of this was inaccessible. The other annex had a separate roof void consisting of a modern truss construction, and which was lined with bitumen roofing felt with no visible gaps.
Section 2	The west section of the building. Consisted of a half-pitched roof to the south, a pitched roof to the north and two annexes with pitched Roman tile roofs to the west. Small gaps were observed under the tiles, and one broken ridge tile was observed on the north pitch. Wooden soffit boxes were well-sealed. The interior of the building had a separate roof void, consisting of a modern truss construction and lined with bitumen roofing felt. The interior of the roof void appeared well-sealed, with no visible access points.
Section 3	The southernmost section of the building, consisting of a single storey building with a half pitched Roman tile roof to the southeast and a two-storey building with a half pitched Roman tile roof to the northwest. Roof tiles and ridge tiles were all in good condition. The wooden soffit boxes were in poor condition, with a large gap on the southeast aspect. The interior of the building had a false ceiling with a small gap above. No signs of bats were identified.
Section 4	Consisted of three adjoining buildings, with a pitched roof to the east and half-pitched roofs to the centre and west. Roof voids consisted of modern truss construction, lined with bitumen roofing felt with no visible gaps.
Section 5	Consisted of a corridor on a northwest-southeast axis with a pitched roof and four annexes to the southwest, each with a pitched roof. Tiles on the exterior of the building were generally in good condition, although with some small gaps. Large gaps were observed in the soffit boxes to the north. The ground floor was well-lit by windows on all aspects. Roof voids above the section were all accessible, and consisted of modern truss construction, lined with bitumen roofing felt. No bats or signs of bats were identified.

The activity surveys both identified a single soprano pipistrelle emerging from and re-entering a gap within the soffit box on the south aspect of the building. Additional bat species, including common pipistrelles and noctule (*Nyctalus noctula*) were observed foraging and commuting over the site. Table 3.2, below, shows a summary of the bat activity surveys (individual survey sheets are available upon request).

Table 2.2. Activity survey details

Date	Survey Type	Summary
30/06/2021	Dawn re-entry	Noctules, soprano pipistrelles and common pipistrelles observed foraging and commuting over the site between 03:08 and 04:23. Soprano pipistrelle observed swarming around the building before re-entering gap at soffit at 04:24.
03/08/2021	Dusk emergence	Noctules, soprano pipistrelles and common pipistrelles observed foraging and commuting over the site between 21:09 and 22:30. Soprano pipistrelle observed emerging from soffit at 21:17.

None of the trees on the site exhibited features suitable for roosting bats, and all are considered to have negligible potential for roosting bats.

3.6. Other Mammals

Hedgehog (*Erinaceus europaeus*) was observed on the site during the dusk emergence survey.

3.7. Herpetofauna

DEFRA (2021) hold no records of granted European Protected Species (EPS) licences for bats within 2km of the site.

A search on Ordnance Survey and aerial imagery (DEFRA, 2021; Google Earth Pro, 201) did not identify any ponds within 250m of the site.

No signs of any reptile or amphibian species were identified on the site. The habitats on the site are highly modified and are considered suboptimal for reptiles and amphibians.

3.8. Birds

Common bird species including jackdaw (*Colinus monedula*), wood pigeon (*Columba palumbus*), rook (*Corvus frugilegus*), goldfinch (*Carduelis carduelis*), blue tit (*Cyanistes caeruleus*), great tit (*Parus major*), house sparrow (*Passer domesticus*) and wren (*Troglodytes troglodytes*) were observed on or flying over the site.

The trees and shrubs on the site provide suitable habitat for nesting birds.

3.9. Invertebrates

the site provides suboptimal habitat for notable invertebrate species and does not contribute significantly to pollination resources within the surrounding area.

4. Impact Assessment

4.1. Designated Sites

Due to the urban land use of the site and its distance from any designated sites, there are no foreseeable impacts of the development upon LNR's within the surrounding area.

4.2. Habitats

The habitats on site are of low ecological value, consisting predominantly of hardstanding surfaces and small areas of amenity grassland. The removal of these due to development can be easily mitigated by further planting.

Several trees will require removal due to the development proposals. Impacts upon trees resulting from the development are discussed in detail in a separate Arboricultural Impact Assessment.

4.3. Bats

There is a confirmed roost of soprano pipistrelle within the building. Due to the absence of any further signs of bats within the building, and the observance of only a single bat during both activity surveys, it is concluded that the building comprises a day roost used by a single or low number of males and/or non-breeding females.

Soprano pipistrelles are a common and widespread species, and day roosts of this species are considered to be of low conservation status (Mitchell-Jones, 2004). However, as with all bat species in the UK, roosts of soprano pipistrelles are afforded legal protection under the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981.

In the absence of further mitigation, the development proposals will result in the destruction of one day roost and the death or injury of individual bats. This will result in a medium negative impact at the site level and a low negative impact at a local level.

As development works will necessitate destruction of the roost, works will need to be carried out under a Natural England European Protected Species Licence (EPSL). To do this, the development must satisfy the three derogation tests set out in the Conservation of Habitats and Species Regulations 2017 for licensing to permit otherwise unlawful activities:

- Test 1 – Overriding public interest;
- Test 2 – No satisfactory alternative; and
- Test 3 – Maintaining a favourable conservation status of the species.

Considering that the building is currently not in use and need development to be appropriate for residential use, and that there is no feasible alternative to the development which would not require destruction of the roost, Test 1 and Test 2 will be met. Provided that works are carried out subject to appropriate mitigation measures, the favourable conservation status of the species will not be impacted, thereby meeting Test 3.

4.4. Other Mammals

In the absence of further mitigation, the development proposals could result in the fragmentation of hedgehog habitat, thus impeding terrestrial connectivity of this species.

4.5. Herpetofauna

There are no foreseeable impacts of the development proposals upon reptiles or amphibians.

4.6. Birds

In the absence of further mitigation, the removal of any trees and hedgerows due to the development could impact upon nesting birds.

4.7. Invertebrates

There are no foreseeable impacts of the development proposals upon notable invertebrate species.

5. Conclusion and Recommendations

5.1. Bats

The building contains a day roost of soprano pipistrelle, which will necessitate destruction due to the development proposals. Works must be carried out under a Natural England EPSL. This can only be applied for once planning permission is in place. The EPSL must include a method statement to avoid the killing or injury of individual bats. An outline method statement is provided in **Appendix 2: Method Statement**. This method statement may need to be revised as part of the EPSL application.

A bat box of type Schwegler 1FF (or similar) will be installed on a tree prior to the commencement of works, to ensure continuation of roosting habitat during the development.

In order to compensate for the loss of a bat roost, the development must include the incorporation of bat roosting habitat. This should include either:

- A bat box of Schwegler 1WQ (or similar), which should be incorporated into the masonry of the gable end of one of the buildings; or
- A roof void integral to one of the buildings, which should be accessed through either bat access tiles on the roof pitch or a bat brick at the gable. The roof void should be lined with Bitumen 1F roofing felt or other bat friendly material. The use of breathable roofing membrane must be avoided.

is recommended that if exterior lighting is to be used as part of the proposed development, the following recommendations prescribed by the Institute of Lighting Professionals (2018) should be followed:

- All luminaires should lack UV elements,
- LED luminaires should be used where possible,
- A warm white spectrum (<2700 kelvin) should be adopted to reduce blue light,
- External security lighting should be set to a short timer or motion sensor
- The spread of light should be at, or near horizontal level,
- The times that lights are used should be limited to provide some dark periods

5.2. Hedgehogs

To avoid fragmentation of hedgehog habitat, it is recommended that proposed properties are divided by hedgerows, or if fences are to be used, that holes 15x15cm are cut into the base of fence panels to enable hedgehog access. Hedgehog access holes should be clearly labelled to discourage them being blocked up by residents.

5.3. Birds

It is recommended that vegetation removal either avoids the bird nesting season (1st March – 31st August), or only commences within this period if a further survey conducted by a suitably qualified ecologist has confirmed nesting birds to be absent.

5.4. Compensation and Ecological Enhancement

It is recommended that the ecological value of the site is enhanced through the incorporation of further planting into the development proposals. Planting should be detailed in a Landscape Planting Plan and should consist of either native species or species with known benefit to local wildlife.

5.5. General Precautionary Measures

In the unlikely event that any protected or notable species (e.g., badgers, reptiles, amphibians) are identified during works, all works should cease, and a suitably qualified ecologist should be consulted.

5.6. Timespan of Report

The findings of this report are considered valid for a period of 12 months (until August 2022). Note that except in extenuating circumstances, Natural England require a survey during the latest survey season to process a licence application. Therefore, if an EPSL is not in place by May 2022, an update activity survey will likely be required.

6. References

CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal, 2nd edition*. Chartered Institute of Ecology and Environmental Management, Winchester.

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JNCC (2010). *Handbook for Phase 1 Habitat Survey: a Technique for Environmental Audit*. Joint Nature Conservation Committee, Peterborough

Natural England (2021). *Designated Sites View* [online]. Available at: >www.designatedsites.naturalengland.org.uk< [accessed 12th August 2021]

Appendix 1: Photographs



Plate 1: Section 3, from south



Plate 2: Soffit on Section 3



Plate 3: Section 2, northwest



Plate 4: Section 2, southwest



Plate 5: Section 1, main corridor



Plate 6: Section 1, roof void



Plate 7: Section 1, roof void



Plate 8: Section 2, roof void



Plate 9: Section 3, roof void



Plate 10: Section 4, roof void



Plate 11: Section 5, roof void



Plate 12: Section 5, east aspect



Plate 13: Section 5, east aspect



Plate 14: Section 5, west aspect



Plate 15: Section 5, west aspect



Plate 16: Section 5, north aspect



Plate 17: Amenity grassland



Plate 18: Ornamental shrubs

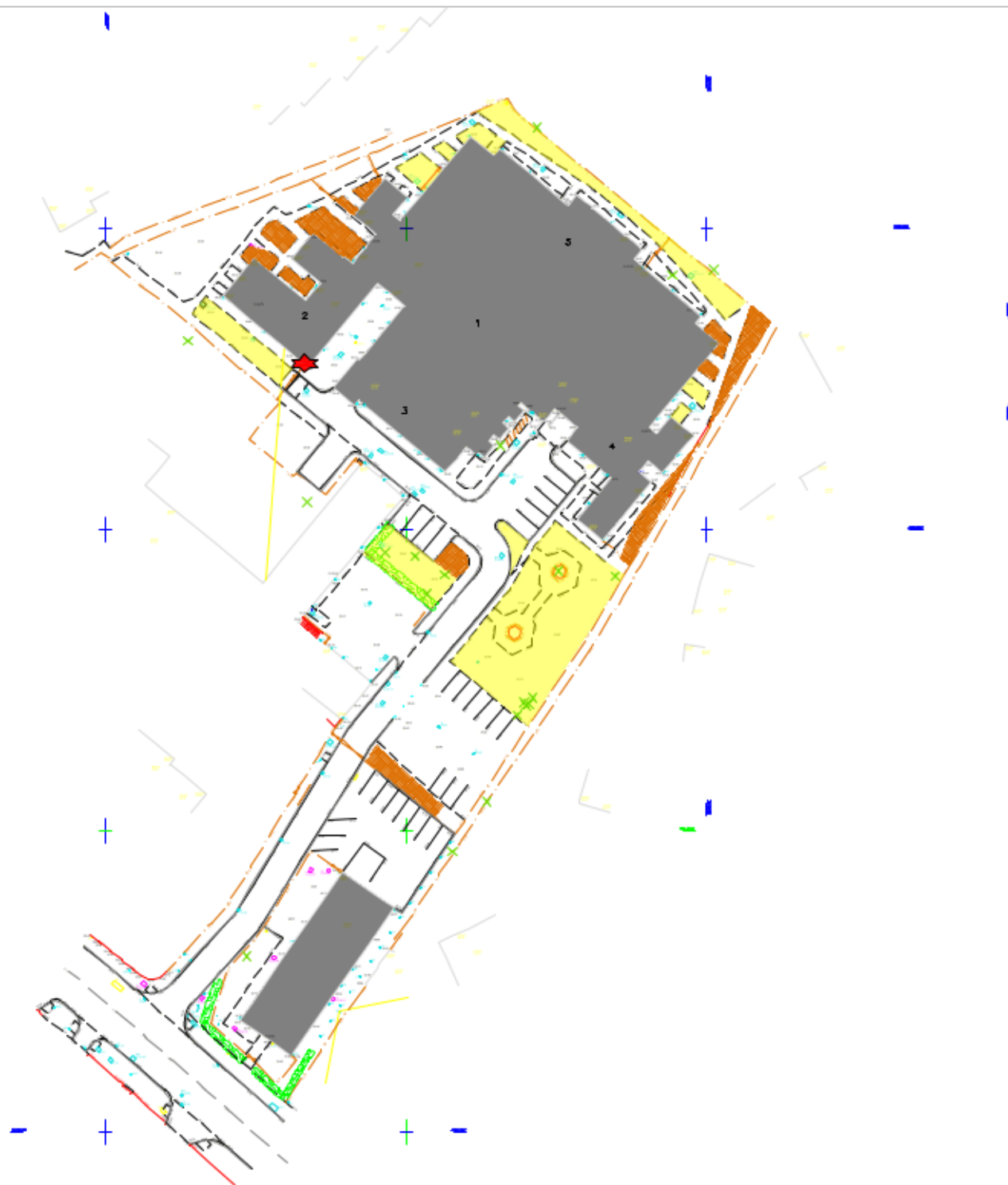
Appendix 2: Outline Method Statement

To ensure that bats are not harmed or disturbed by development works, the following precautionary methods must be followed:

1. Prior to the commencement of works, one bat box of type Schwegler 1FF (or similar) will be erected onto a tree on the site. The bat box must be erected by a licenced bat worker, at a minimum height of 5m with clear flight paths to and from the entrance.
2. Prior to the commencement of works, contractors will be given a 'toolbox talk', to ensure they are aware of the signs of bats, and to ensure that they know how to respond if bats are encountered.
3. Prior to the commencement of works, suitable roost features will be inspected with an endoscope.
4. The ecologist will then supervise the demolition of the roost features. All roof tiles and ridge tiles must be removed by hand. To enable close supervision, scaffolding should be in place during the demolition works, or the roof should be accessed using a mobile elevated working platform (MEWP).
5. If any bats are encountered during the demolition, they will be captured by the ecologist. They will either be stored in a ventilated box with a soft cloth and a shallow dish of water, and then released at dusk if weather conditions are suitable; or transferred to the bat box located on the tree on site.
6. If any injured bats are found they will be placed in a ventilated box with a soft cloth and a shallow dish of water, and transferred to the care of a BCT registered bat carer.
7. When the ecologist is satisfied that all potential roost features have been removed safely, then work may continue unsupervised. However, in the event that a bat is encountered during this period then all work will stop and the licenced ecologist will be contacted.

As bats are a legally protected species, a Natural England European Protected Species Licence (EPSL) will be required prior to the commencement of works. This method statement may need to be amended as part of the EPSL.

Appendix 3: Habitat Plan



Appendix 2: Phase 1 Habitat Plan

Habitat key:

	11 Scattered trees
	g4 modified grassland
	1160 introduced Shrub
	Buildings (numbers denote building sections)
	Bat emergence point



Project:	Oakwood Lodge
Drawing number:	PH108802
Drawn by:	David Watts
Date:	12/08/2021
Scale:	1:1000 @ A4



Appendix 4: Legislation and Policy

Statutory Designated Sites

Local Nature Reserves (LNRs) are statutory sites of at least local importance. They are declared under section 21 of the National Parks and Access to the Countryside Act 1949 and amended by Schedule 11 of the Natural Environment and Rural Communities Act 2006. All district and county councils have powers to acquire, declare and manage LNRs. Parish and town councils can also declare LNRs but they must have the powers to do so delegated to them by the principal local authority. To qualify for LNR status, a site must be of importance for wildlife, geology, education or public enjoyment. Some are also nationally important Sites of Special Scientific Interest.

Hedgerow Regulations 1997

The Hedgerow Regulations set out criteria that must be used by the local planning authority to determine whether hedgerows are important. These relate to the values of hedgerows from an archaeological, historical, landscape and ecological perspective. They exclude hedgerows that are less than 30 years old. Removal of a hedgerow in contravention of the regulations is a criminal offence.

Habitats and Species Regulations 2017

The Conservation of Habitats and Species Regulations 2017 makes it an offence to deliberately capture, kill or disturb any animal protected under Schedule 2 of the regulations. It is also an offence to damage or destroy a breeding site or resting place of an animal, even if the animal is not present at the time.

Wildlife and Countryside Act 1981

The Wildlife and Countryside Act 1981 (As Amended), makes it an offence to:

- Deliberately or recklessly injure, kill or capture any animal protected under Schedule 5 of the act.
- Deliberately or recklessly kill, injure or take any wild bird; to take, damage or destroy the nest of any wild bird while occupied or being built, or to take or destroy the egg of a wild bird. Additional protection is afforded to bird species listed under Schedule 1 of the Act.
- Intentionally pick, uproot or destroy any wild plant included in Schedule 8 of the Act.

Badger Protection Act 1992

Badgers (*Meles meles*) benefit from specific protection under the provisions of the Protection of Badgers Act 1992. Under the Act, it is an offence to wilfully kill, injure or take a badger (or attempt to do so), to cruelly ill-treat a badger, to interfere with a sett, cause a dog to enter a sett, and to disturb a badger while it is occupying a sett.

Biodiversity Action Plan

The UK Biodiversity Action Plan (UKBAP) includes a list of 943 national priority species and 56 habitats of principal importance, with all species and habitats having specific action plans defining the measures required to ensure their conservation. Although the UKBAP has since been superseded by the UK-Post 2010 Biodiversity Framework and a focus on County Biodiversity Plans, it remains a useful point of reference.

Section 41 of the Natural Environment and Rural Communities Act (NERC) 2006 required that any public bodies take into consideration any species and habitats listed in the UKBAP when implementing their duty and exercising any normal functions.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) states that planning decisions should aim to protect or enhance biodiversity and conservation interests, and where possible any development should aim to increase net gains in biodiversity.