

Preliminary Ecological Appraisal

Rochdale Road, Harpurhey

RRH-EVE-RP-01

JANUARY 2025

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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

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1 INTRODUCTION

1.1 Background

- 1.1.1 Evelyn Ecology Limited was instructed by Caroline Tamworth Planning Ltd to undertake a Preliminary Ecological Appraisal (PEA) at Rochdale Road, Harpurhey, Manchester, M9 8AE (hereafter referred to as “the site”). The survey was required to inform a planning application for erection of a multi-storey apartment (hereafter referred to as “the proposed development”). A plan showing the proposed development is provided in Appendix 1.
- 1.1.2 The aim of the PEA was to obtain data on existing ecological conditions, and to conduct a preliminary assessment of the likely significance of ecological impacts on the proposed development.
- 1.1.3 A Biodiversity Net Gain Plan (Evelyn Ecology, 2025) has been produced alongside this report.

1.2 Site Location

- 1.2.1 The site is located at National Grid Reference SD 85975 02091 and has an area of approximately 0.09ha comprising an informal car park on grass / bare ground. The site is situated at the northern settlement edge of Harpurhey, thus is surrounded by residential and commercial properties. Further north there is Boggart Hoe Clough LNR which is predominately woodland habitat, waterbodies and Boggart Brookruns along its western and southern edge. A site location plan is provided in Appendix 1.

1.3 Scope

- 1.3.1 This report describes the baseline ecological conditions at the site, evaluates habitats within the survey area and also in the context of the wider environment and describes the suitability of those habitats for notable or protected species. It identifies possible ecological constraints as a result of the proposed development and summarises the requirements for further surveys and mitigation measures to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation.
- 1.3.2 To achieve this, the following steps have been taken:
- A desk study has been carried out.
 - A field survey has been undertaken to record baseline information on the site and surrounding area including habitat types and their suitability for notable or protected species.
 - Invasive plant and animal species (such as those listed on Schedule 9 of the Wildlife & Countryside Act) have been identified.
 - Potential impacts on features of value, as a result of the proposed development, have been identified.
 - Recommendations for further surveys and mitigation, if required.
 - Opportunities for the enhancement of the site for biodiversity have been set out.

2 Methodology

2.1 Desk Study

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

2.2 Field Survey

- 2.2.1 The survey was undertaken by Henry Gunning (2017-28633-CLS-CLS, 2022-10860-CL17-BAT & FISC Level 3) on 13/01/2025.

Preliminary Ecological Appraisal

- 2.2.2 An extended habitat survey was undertaken, following the methodology set out in The UK Habitat Classification Habitat Definitions Version 2.0 (The UK Habitat Classification Working Group, July 2023). All habitats are described and mapped and, where appropriate, target notes provide supplementary information on habitat conditions, features too small to map to scale, species composition, structure and management.
- 2.2.3 For ease of reading, scientific names are omitted from this report for widespread, ubiquitous and well-known species. Scientific names are only included where deemed necessary in conveying correct information to the reader, for example where common names differ regionally or in specialised, notable, unusual or challenging taxa, or if there is any ambiguity in identification (e.g where a species can only be identified to genus level).
- 2.2.4 During the survey, habitats were assessed for their suitability to support protected species, and field signs indicating their presence recorded. The assessment takes into consideration the findings of the desk study, the habitat conditions on site and in the context of the surrounding landscape, and the ecology of the protected species.

2.3 Limitations

- 2.3.1 The survey was completed outside of the optimal survey period (April to October) limiting the identification of ground flora species. Due to nature and size of the habitats on site, it is considered that a robust assessment was conducted in this instance.
- 2.3.2 The protected species assessment provides a preliminary assessment of the likelihood of protected species occurring on the site. This is based on the suitability of the habitat, known distribution of the species in the local area (provided by data searches and historic survey information) and any direct evidence within the survey area. It should not be taken as providing a full and definitive survey of any protected species group. It is only representative of the time the survey was carried out. Additional surveys may be recommended if, on the basis of the preliminary assessment or during subsequent surveys, it is considered reasonably likely that protected species may be present.
- 2.3.3 No Biological Record Data (BRD) from Greater Manchester Local Record Centre (GMLRC) was obtained at the time of writing this report. It is considered that due to the nature / size of the existing site and the proposed development, the BRD was not required.

3 RESULTS

3.1 Designated Sites

3.1.1 Details of any statutory designated sites within a 1km radius of the site, including their reasons for notification, are provided in Table 2 below. The presence of non-statutory designated sites within 1km cannot be established without biological records data from RECORD. However, it is considered unlikely that such sites would be present in the immediate vicinity due to the lack of greenspace and built-up nature of the land surrounding the site.

Table 1: Statutory designated sites within 1km radius of the site

Designated Site Name	Distance from site (km)	Description
Boggart Local Nature Reserve (LNR)	0.152	The LNR is the largest woodland clough in Manchester and part is ancient woodland. Aerials also show large waterbodies and a brook running through the LNR.

3.2 Field Survey Results

3.2.1 The results of the field survey are illustrated in the Habitats Plan in Appendix 2. The weather conditions recorded at the time of the survey are shown in Table 3.

Table 2: Weather conditions during the survey

Date	13/01/2025
Temperature	0°C
Humidity	88%
Cloud Cover	80%
Wind	4 mph
Rain	Overcast

3.3 Habitats and Flora

3.3.1 The following habitats are present within and adjacent to the site:

- g4 Modified grassland
- Urban tree

3.3.2 A description and photographs of each habitat are provided in Table 4 and the Baseline Habitats Plan is provided in Appendix 2.

3.3.3 No protected or non-native invasive plant species (as listed under Schedules 8 or 9 of the Wildlife and Countryside Act 1981) were identified on the site.

Table 3: Description and photographs of habitats within and adjacent to the site

Habitat Type	Habitat Description	Photograph
Modified Grassland	During the site visit, the parcel of land was being used as an informal car park / storage area. The area was species poor, with ephemeral / early successional species abundant. Species included Meadow grasses, Yorkshire-fog, Cocksfoot, Ribwort Plantain, White Colver, Nettle and Bramble. Bare ground was extensive with areas of hardstanding / rubble. Sward height did not vary and was significantly damaged through the compaction of cars.	
Urban Tree	A small tree, thought to be Hazel, was recorded as removed from the northwest corner of the site.	

3.4 Fauna

3.4.1 An assessment of the suitability of the site for protected or notable species is provided in Table 6.

Table 4: Assessment of the suitability of the site for protected or notable species

Species	Assessment of suitability	Biological records data
Amphibians	A review of aerial imagery and OS maps identified two large ponds within 500m of the site. The closest pond was c. 415m west from the site. The habitats within and surrounding the site are confined by fences and major roads. Therefore, the site is considered isolated from the wider area.	The desk study returned no EPSLs, or class licence returns for great crested newt within 1km of the site.
Reptiles	No reptiles were recorded during the site visit and the habitats within and adjacent to the site were unsuitable for reptiles.	No rare reptile EPSLs were identified within 1km of the site during the desk study.
Badgers	No evidence of badgers was recorded within the site and surrounding 30m. The habitats and built-up area around the site were unsuitable for	

commuting and foraging badgers.

Hazel Dormouse	The site and the surrounding habitats are unsuitable for dormice	No EPSLs for hazel dormice were identified within 1km of the site
Hedgehog	The site and its immediately surrounding habitats are sub-optimal for hedgehog.	
Otter	The River Irk is c. 500m west from the site which provides suitable habitat for otter. However, there are immediate barriers in the form of residential housing and a built-up urban area surrounding the site and are therefore no opportunities for otters to access the site.	No EPSLs or local records for otter were identified during the desk study.
Water vole	The site has no adjacent watercourses and therefore it is considered that water vole do not utilise the site.	
Birds	There is no suitable habitat for nesting birds within the site.	
Invertebrates	The site and its surrounding habitats are sub-optimal for invertebrates.	

4 CONCLUSIONS AND RECOMMENDATIONS

4.1 Informative Guidelines

4.1.1 A summary of the relevant legislation and planning policies is provided in Appendix 4

4.2 Likelihood of the Presence of Protected Species

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

4.2.2 Where this report supports a planning application, the ecological interest of the study area (i.e. the area covered by the desk study and field survey) and the proposed development has also been evaluated in terms of the planning policies relating to biodiversity.

4.3 Evaluation

4.3.1 Taking the desk study and field survey results into account, Table 10 presents an evaluation of the ecological value of the site and also details any ecological constraints identified in relation to the proposed development which will involve the construction of a multistorey apartment.

4.3.2 Based on the limited extent of the habitats on site, and/or suboptimal nature of the habitats present, notable flora, amphibians, reptiles, bats, badger, dormouse, otter, water vole and invertebrates were scoped out of further assessment.

Table 5: Evaluation of the site and any ecological constraints

Feature	Survey results Summary	Impact Assessment	Recommendations	Enhancement Opportunities
Designated sites	Boggart Hole Clough LNR is c. 0.154km north of the site	No impacts to this designated site are anticipated due to the small scale of the proposed development as well as the urban location of the site with surrounding physical barriers. Boggart Hole Clough is a large urban country park and is frequented and set up for recreational activities. It is considered unlikely that non-statutory sites would be present in the immediate vicinity due to the lack of greenspace and built-up nature of the land surrounding the site. No direct impacts to any designated sites will occur as a result of the proposed development.	None.	None.
Habitats	The site contains habitats that are	The proposals will result in the loss of a	None	The following habitat creation

Feature	Survey results Summary	Impact Assessment	Recommendations	Enhancement Opportunities
and flora	common and widespread and have low ecological value. No protected or notable plant species were recorded during the survey.	small area of modified grassland / bare ground		and enhancement opportunities have been incorporated into the proposed development: - Planting of native hedgerow species and tree - Installation of intensive green roof's. Species-specific enhancement opportunities are detailed later in this table.
Roosting bats	NA	None	None	Inbuilt bat boxes are recommended as part of the development. These bricks will be located where it will receive the maximum amount of sunlight. Position min. 2m above ground level, preferably 5 to 7m. Avoiding over windows, doors, and wall climbing plants to reduce likelihood of predation by cats. Position near the eaves or gable apex of the property is preferable. The bat boxes will be a specification suitable for pipistrelle bats.
Birds	NA	None	None	Bird boxes should be incorporated into the proposed development.

4.4 Biodiversity Net Gain

4.4.1 Biodiversity Net Gain calculations, using the Statutory Biodiversity Metric, have been undertaken for the proposed development (Evelyn Ecology, 2025). Baseline habitat calculations have been informed

by a UKHab survey and condition assessment in January 2025. Post development habitats have been illustrated on the Proposed Habitats Plan in Appendix 3.

- 4.4.2 A unit gain of 0.07 habitat units (+30.35% net gain) was identified following the completion of the baseline and post intervention calculations. Post-intervention habitats included the addition of tree planting and intensive green roofs.
- 4.4.3 At present, the proposals demonstrate a measurable 10% biodiversity net gain in line with Chapter 15, paragraph 180 of the NPPF, the Environment Act, 2021.

5 REFERENCES

British Standards Institution, 2012. BS 5837:2012 Trees in relation to design, demolition and construction: Recommendations. London: BSI.

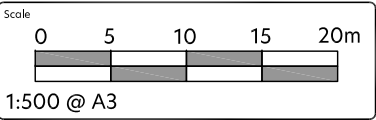
CIEEM (2017a). Guidelines for Preliminary Ecological Appraisal. Chartered Institute for Ecology and Environmental Management, Winchester.

CIEEM (2017b). Guidelines for Ecological Report Writing. Chartered Institute for Ecology and Environmental Management, Winchester.

Evelyn Ecology, 2025. Biodiversity Net Gain Plan. RRH-EVE-RP-02

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

APPENDIX 1 – Proposed Development and Site Location Plan



Notes

Figured dimensions are to be used in all cases.

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This drawing is to be read in conjunction with all the relevant Mechanical and Electrical drawings.

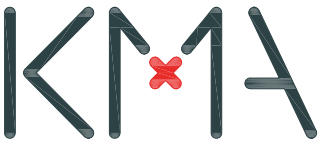
This drawing is to be read in conjunction with the relevant Structural Engineer's drawings, structural calculations and recommendations.

This drawing is to be read in conjunction with the relevant Fire Safety Strategy drawings.

Please note that the use of any quantification data is done so at the users own risk.

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Revision Notes				
Rev	Date	Revision Description	Drawn	Checked
P1	06.11.24	Initial Issue	CTW	AT



Project Name

Harpurhey
Rochdale Road

Drawing Title

Proposed
Block Plan

Drawing Number

HRR-KMA-XX-XX-DR-A-7002

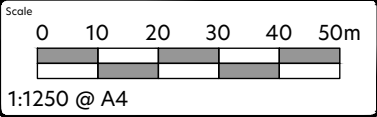
Project Number	Status	Revision
T1231	A3 Planning	P1

Drawn by	Authorised by	Date
CTW	AT	06.11.24

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Revision Notes				
Rev	Date	Revision Description	Drawn	Checked
P1	06.11.24	Initial Issue	CTW	AT



Project Name

Harpurhey
Rochdale Road

Drawing Title

Location Plan

Drawing Number

HRR-KMA-XX-XX-DR-A-7000

Project Number	Status	Revision
T1231	A3 Planning	P1

Drawn by	Authorised by	Date
CTW	AT	06.11.24

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APPENDIX 2 – Baseline Habitats Plan

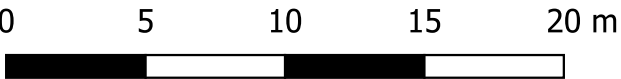


Legend

Red Line Boundary

Modified Grassland

Existing Small Urban Tree



Project	Rochdale Road, Harpurhey	Date	23/01/2025	Drawing No	RRH-EVE-DR-01
Drawing Title	Baseline Habitat Plan	Scale	As shown	Revision	01
Client	Caroline Tamworth Planning	Drawn	HG	Checked	HG

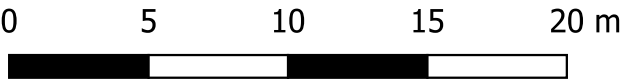
APPENDIX 3 – Proposed Habitats Plan



Legend



-  Red Line Boundary
-  Building
-  Intensive green roof
-  Developed land; sealed surface
-  Modified grassland
-  Native hedgerow with trees
-  Proposed Small Urban Tree
-  Lost Urban Tree



Project	Rochdale Road, Harpurhey	Date	23/01/2025	Drawing No	RRH-EVE-DR-02
Drawing Title	Proposed Habitat Plan	Scale	As shown	Revision	01
Client	Caroline Tamworth Planning	Drawn	HG	Checked	HG

APPENDIX 4 – Legislation and Planning Policy

LEGAL PROTECTION

National and European Legislation Afforded to Habitats

International Statutory Designations

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

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

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

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

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

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

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

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

National Statutory Designations

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

Local Statutory Designations

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

Non- Statutory Designations

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

are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved.

Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

The Hedgerow Regulations 1997

The Hedgerow Regulations 1997 are designed to protect 'important' countryside hedgerows. Importance is defined by whether the hedgerow (a) has existed for 30 years or more; or (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations.

Under the Regulations, it is against the law to remove or destroy hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys without the permission of the local authority. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are excluded.

National and European Legislation Afforded to Species

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

The Conservation of Habitats and Species Regulations 2017 (as amended) aims to promote the maintenance of biodiversity by requiring the Secretary of State to take measures to maintain or restore wild species listed within the Regulations at a favourable conservation status.

The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild population of the species concerned.

The Wildlife and Countryside Act (WCA) 1981 (as amended)

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

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

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

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

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

Birds

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

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

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

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

This affords them protection against:

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

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

Works should be planned to avoid the possibility of killing or injuring any wild bird or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Schedule 1 birds are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

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

Bats

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

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

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

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

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

A European Protected Species Licence (EPSL) issued by the relevant countryside agency (i.e. Natural England) will be required for works are likely to affect a bat roost or an operation which are likely to result in an illegal level of disturbance to the species will require an EPSL. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Hazel Dormice

Hazel dormice *Muscardinus avellanarius* are fully protected under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

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

Dormice are also protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

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