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Habitat Management & Monitoring Plan

Site Name

Beryl Harvey Field

Client

Cranleigh Parish Council

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About the Authors

This report has been prepared by James Whitby, a Consultant Ecologist at The Ecology Co-op, with 3 years' experience. He has a Level 1 Great Crested Newt Survey Licence and is an accredited agent under Lynn Spencer's Level 1 Bat Survey Licence. As a Qualifying member of the Chartered Institute for Ecology and Environmental Management, he is bound by their code of professional conduct.

This report has also been prepared by Alice Motola, with 9 months' experience working as an Assistant Ecologist at The Ecology Co-op. She has a bachelor`s degree in Environmental Sciences, a Masters degree in Nature Sciences and a 1-year MSc in Environmental Forestry.

About the Reviewer

This report has been reviewed by Paul Whitby, a Principal Ecologist at The Ecology Co-op with 19 years' experience. He has extensive experience in Ecological Impact Assessment and habitat creation and management across a range of projects. As a full member of CIEEM and as a Chartered Ecologist, he is bound by their code of conduct.

This report has been reviewed by Kate Priestman, who is a Principal Ecologist with over twenty years' experience. Kate has undertaken extensive survey work and reporting, encompassing a breadth of deliverables, and prepared European Protected Species licences for numerous schemes. As a Full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and a Chartered Environmentalist (CEnv), she is bound by CIEEM's code of professional conduct.

Report Summary

1. The Ecology Co-operation was commissioned to provide a Habitat Management Plan (HMP) with respect the Beryl Harvey Field Conservation Area. This document outlines the proposed strategy to manage the existing habitats identified on the site.

2. The site comprises of the following habitats: other neutral grassland, bramble scrub, rural trees, native hedgerows and woodland.

3. The two main habitats, the woodland parcel to the west and the meadow area to the east represent good examples of their habitat types. While some issues are present, such as the presence of Spanish and hybrid bluebells in the woodland and an overabundance of common knapweed in the meadow, generally the condition of each habitat parcel is good. The management prescriptions in this report should provide relatively easy options to keep the habitats in their current condition and enhance some localised areas within each habitat parcel.

4. Ther last section of the report sets out other enhancements, such as hibernacula and bird and bat boxes. It also discusses ways to get volunteers involved in the preservation of the Conservation Area, as well as some fun activities to get children out in nature and contributing to the natural world around them.

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1 INTRODUCTION

1.1 Purpose of the Report

The Ecology Co-op was commissioned by Cranleigh Parish Council to produce a Habitat Management Plan (HMP) for their existing Beryl Harvey Field Conservation Area, situated on the western outskirts of Cranleigh. This document outlines the proposed strategy to manage the existing habitats identified within the site, as well as enhance areas of the conservation area where practical.

1.2 Background

The site is located on the western side of the town of Cranleigh. The site is bounded to the west by Knowle Lane, to the south by a housing development known as Oaklands, to the east by private agricultural land and to the north by Snoxhall Fields recreation ground. The site is immediately adjacent to an allotment at its northern boundary which is under the same ownership.

The central grid reference for the site is TQ 05766 38513, and the location of the site is shown in Figure 1 below.

Figure 1. An aerial image showing the location of the application site. The approximate boundary of Beryl Harvey Field Conservation Area is outlined in red, and the allotments are outlined in blue. Images courtesy of Google Earth (map data ©2025 Google).

2 LEGAL PROTECTION

Legal protection applying to relevant bird, mammal and herpetofauna species is detailed in Appendix 1 of this report. This includes both national and European legislation that protects badgers *Meles meles*, bats, dormice *Muscardinus avellanarius*, reptiles, and breeding birds.

3 METHODOLOGY

In order to inform this report a site walkover was undertaken on 1st of May 2025 by James Whitby, MSc and Qualifying CIEEM, to gather botanical and condition assessment data for the site. The site walkover captures a 'snapshot' of the site. While every effort has been made to capture the site and its conditions, a comprehensive species list that likely captures all species present within the woodland and grassland communities hasn't been undertaken. It should, therefore, be assumed that some species that are known to be within the conservation area may not have been recorded at the time of survey.

4 BASELINE CONDITIONS

4.1 Existing Habitats

The site comprises of the following habitats: woodland, other neutral grassland, mixed scrub, a pond, rural trees and a native hedgerow with trees. A UKHab map of the site is shown in Figure 1.

Figure 1. UKHAB map showing existing habitats within the site. Produced using QGIS software, version 3.28 – Firenze.

4.1.1 Other Neutral Grassland

Most of the site and conservation area consists of a grassland sward. At the time of survey the sward was relatively short as it had not yet reached the peak growing season. It should also be noted that the site visit followed an uncharacteristically dry April, which has affected the growing patterns and rates of grassland this season.

Whilst the sward was relatively short at the time of surveying, owing to the weather and being early in the growing season, the main biomass within the grassland sward was identified as common knapweed *Centura nigra*. While individual tussocks of new knapweed growth formed the main biomass, the structure across the sward was indicative of good quality habitat, with a good proportion of grass and wildflowers. A total of 31 species was recorded across the meadow. Some of the species have only been identified to genus level, as due to the dry weather and time of survey, some ID features were either not available, or not reliable enough for 100% confidence. Some plants, such as lords and ladies *Arum mculatum,* enchanters' nightshade *Circaea lutetiana* and bluebell *Hyacinthoides non-scripta* were present within the meadow area but were confined to the boundaries near the woodland parcels, or along the immediate strip of vegetation either side of the central tree line. There were also some undesirable plants within the sward. Creeping thistle *Cirsum arvense* and common nettle *Urtica* dioica were present; however, these were localised and not in an abundance that causes concern. There were also some patches of bramble starting to colonise; however, at the time of survey, this was also very localised, was still only at ground level and was not in an abundance that would negatively impact the meadow's condition.

Table 1. Observed species list for the meadow.

Common name	Latin name
Bramble	*Rubus frucitosis agg*
Bugle	*Ajuga reptans*
Cleavers	*Galium aparine*
Germander speedwell	*Veronica Chamaedrys*
Common mouse ear	*Cerastium fontanum*
Common agrimony	*Agrimonia eupatoria*
Common bent	*Agrostis capillaris*
Sweet vernal grass	*Anthoxanthum odoratum*
Goldenrod	*Solidago virgaurea*
Spotted orchid	*Dactylorhiza fuchsii*
Ground ivy	*Glechoma hedercea*
Wild strawberry	*Frageria vesca*
Cowslip	*Primula veris*
Creeping thistle	*Cirsum arvense*
Creeping buttercup	*Renunculus repens*
Bluebell	*Hyacinthoides non-scripta*
Curled dock	*Rumex crispus*
Common nettle	*Urtico dioica*
Yorkshire fog	*Holcus lantus*
Smooth meadow grass	*Poa pretensis*
Wood avens	*Geum urbanum*
Violet	*Viola sp.*
Common bird's foot trefoil	*Lotus corniculatus*
White clover	*Trifolium repens*
Enchanters nightshade	*Circaea lutetiana*
Lords and ladies	*Arum maculatum*
Greater forget me-not	*Brunnera macrophylla*

Common name	Latin name
Forget me not	*Myosotis sylvatica*
Green alkanet	*Pentaglottis sempervirens*
Common comfrey	*Symphytum officinale*
Yarrow	*Achillea milefolium*
Common sorrel	*Rumex acetosa*
St John's wort	*Hypericum sp*
Ladies' bedstraw	*Geum vernum*
Creeping jenny	*Lysimachia nummularia*
Meadow buttercup	*Ranunculus acris*
Ribwort plantain	*Plantago lanceolate*

Photograph 2. Representative example of the meadow at the time of survey.

4.1.2 Bramble Scrub

There is small section of bramble scrub located along the southeastern boundary that connects the southern tree line – which appears to lie outside the conservation area's ownership – to the parcel of woodland in the northeast corner. This appears to be a fence line that has since had bramble encroach over the fence and from a bramble hedgerow. This bramble now slightly encroaches into the meadow to form an area habitat, but not to an extent that currently would reduce the meadow's condition.

Photograph 3. View of the bramble scrub.

4.1.3 Woodland – East

This woodland parcel was categorised by a strong woodland ground flora presence with many ancient woodland indicators (full list with ancient indicators can be found in table 2). At least 10 trees were present within the woodland (table 2). There was a section of cherry laurel *Prunus laurocerasus* located outside the site's boundary to the south that may begin to encroach. It is noted within the Conservation Area Plan 2018[1] that the woodland used to have an issue with cherry laurel encroachment but that there has since been a large effort to eradicate this plant. No new growth of laurel was noted during the walkover; however, it is possible that saplings were present within some of the understorey. The ground flora was largely desirable, with some sections of the ground flora being dominated by nettle. There was an area toward the south-east of the woodland that had undergone recent tree felling and had caused some ground disturbance. This area of recent disturbance had a large proportion of bare ground, but large areas of it had also been colonised by plants likely from the seed bank. These included bugle *Ajuga reptans, viola* sp., wood avens *Geum urbanum*, common agrimony *Agrimonia eupatoria* and square-stalked St John's-wort *Hypericum tetrapterum.* Recent felling activities had also left behind a good amount of deadwood.

It is worth noting that along the eastern side of the main pathway from the car parking area, Spanish bluebell was seen. There were also hybrid bluebells within the area.

Table 2. Observed species list for the meadow.

Common name	Latin name
Oak	*Qurcus robur*
Sycamore	*Acer pseudopatanus*
Hazel	*Corylus avellana*
Holly	*Ilex aquifolium*
Downy birch	*Betula pubescens*
Ash	*Fraxinus excelsior*
Horse chesnut	*Aesculus hippocastanum*
Hawthorn	*Cretageous monogyna*
Dogwood	*Cornus sanguinea*
Bramble	*Rubus frucitosis agg*
Bugle	*Ajuga reptans*
Cleavers	*Galium aparine*
Germander speedwell	*Veronica Chamaedrys*
Bluebell	*Hyacinthoides non-scripta*
Spanish bluebell	*Hyacinthoides hispanica*
Bluebell hybrid	*Hyacinthoides x massartiana*
Town hall clock	*Adoxa moschatellina*
Ground ivy	*Glechoma hedercea*
Curled dock	*Rumex crispus*
Lords and ladies	*Arum maculatum*
Honesuckle	*Lonicera periclymenum*
Wood speedwell	*Veronica montana*
Wood avens	*Geum urbanum*
Ivy	*Hedera helix*
Large leaved avens	*Geum macrophyllum*
Square stemmed St John's wort	*Hypericum tetrapterum*
Ragwort	*Jacobaea vulgaris*

[1] Cranleigh Parish Council (2018). Beryl Harvey Field, Conservation Area Plan 2018

Common name	Latin name
Foxglove	*Digitalis purpurea*
Greater forget me-not	*Brunnera macrophylla*
Creeping buttercup	*Renunculus repens*
Dog's mercury	*Mercurialis perennis*
Thyme leaved speedwell	*Veronica serpyllifolia*
American willow herb	*Epilobium cilliatum*
Dandelion	*Tarazacum sp.*
Common figwort	*Scrophulria nodosa*
Lesser celandine	*Ficaria verna*
Black bryony	*Dioscorea communis*

Photograph 3. View of the woodland. Left illustrates the recent ground disturbance and bare ground.

4.1.4 Woodland – West

This woodland to the east is in a notably worse state than the parcel to the west. Only six species of tree were recorded in this parcel and much of the ground flora was dominated by nettles. Other species were present within the ground such as red campion *Silene dioica* but species composition was much lower. There was also a good proportion of deadwood within the woodland from previous human activities.

Photograph 3. View of the woodland. Note the young trees and presence of nettle.

4.1.5 Pond

There is a lined pond toward the north of the meadow. There is a sycamore *Acer pseudoplatanus* at the northern edge of the pond. There were some submerged plants within the pond, but little to no floating plants. Pond edge plants largely consisted of pond sedge *Carex riperia.* The water quality of the pond while turbid, did support a good range of invertebrates.

Photograph 4. Photo illustrating the pond.

5 PROPOSED HABITAT MANAGEMENT

The main two parcels of habitat at Beryl Harvey Field represent good quality habitat in relatively good condition. While there is limited scope for enhancement, there are localised areas of the woodland and the grassland that could receive more targeted management to improve the overall structure of the communities present.

The next section of the report will set out general management parameters.

5.1 Grassland Management

A cut and collect method can be used to manage the Other Neutral Grassland habitat. A minimum of two cuts and collection of arisings will be required to help control some of the common knapweed growth. One cut and collect should ideally take place in early spring with the arisings removed

immediately. The secondary cut can take place in mid to late August once flowers have begun to set seed. Where feasible and practical, arisings after this cut should be left for roughly a seven-day period. This will help plants dry out and drop more seed into the sward. Two cut and collects a year will also help control any new areas of bramble/scrub growth. It is important that arisings are removed after seven days to reduce nutrient enrichment.

To target control of the knapweed, hand pulling/digging of individual plants, while labour intensive, would yield the most desirable and targeted results. This could be done any time of year that the knapweed tussocks are easily distinguishable, however would cause the least disturbance to wildlife and other flowering plants in the meadow in either spring or autumn. This could be done in phases utilising the volunteers due to the high amount of labour required to individually remove plants. This would also create areas of bare ground that may allow other plants to colonise or existing seeds in the soil bank to come through following disturbance. This could lead to a flush of weeds such as creeping thistle which would also then need to be spot controlled. The rate at which these weeds grow should not greatly impact the overall condition of the meadow following the two cut and collect method. Another option could be to reseed the bare ground once individual knapweed tussocks have been removed. However, as the species' composition is already quite diverse, succession and natural colonisation would be the preferred method. Alternatively, mown strips can be added into the meadow. These should be strips of the meadow that are cut on a regular basis (with arisings removed). With regular mowing (once a month) the knapweed will eventually be 'mown out'. The area will then be taken over by fine grasses, which over time, by reverting back to the two cut and collect method should colonise with wildflower species again.

It is important to note that only a small amount of knapweed should be removed from the sward to allow other plants to colonise. Knapweed is an extremely good source of food for pollinators and the importance of it in meadows cannot be understated. As there is such a high proportion of it in the meadow, it is likely that the soil conditions present greatly favour the growth of knapweed, and any efforts to control it beyond the standard two cut and collect method will likely only be effective in the short term, and even with a two cut and collect a year method, knapweed could become the dominant plant again.

5.2 Scrub Encroachment

The area of bramble scrub provides good refuge and food sources for a range of birds, reptiles and invertebrates. It is important that this is knocked back every year to avoid encroachment into the meadow. This will need to be done avoiding the active nesting bird season (March 1st to August 31st).

Knocking back can be done using either a strimmer using a brush cutting attachment or hedgerows. If any localised areas need cutting in the summer, this should be done using snips to avoid disturbance to nesting birds.

There was a small amount of bramble saplings located within the meadow, and following standard meadow management this should not cause any negative impacts to the overall condition of the meadow.

5.3 Woodland

The woodland parcel to the west has excellent ground flora cover with a strong presence of ancient woodland indicator species. The current management of the woodland has created bare ground for new plants to colonise, as well as areas of deadwood. Existing management has largely controlled the laurel present within the woodland.

Recommended management for this parcel of woodland would be to largely remain the same as the current management. Areas of thick bramble scrub may want to be controlled should they appear. As the woodland is quite small, if dense bramble starts to grow it could easily overtake the remaining vegetation. As laurel has previously been an issue, it is important to remain vigilant for its appearance. Using the volunteers, walkovers can be undertaken to identify any new growth early. It would be important for volunteers to remain on paths where possible, with only limited searches in the areas off designated paths to avoid trampling or soil compaction. The Conservation Area Plan says that a tree survey was completed in 2017 to assess the woodland and tree health. It would be recommended that this be undertaken again. An experienced arboriculturist can then recommend which trees should be coppiced, pollarded and/or removed. Any removed trees or large branches left over from pollarding should be left in situ or can be used for hibernacula within the meadow (see section 6.1). Pollarding/copping should normally take place within the winter months, but if any works to trees are proposed in the summer, it is possible they will need to be subject to a nesting bird check. Trees to be removed should also be assessed for their bat potential before being felled.

Efforts should also be made to remove any Spanish bluebell and any hybridised bluebell. Ideally this should be done by or under the supervision of a qualified botanist, or someone who has experience identifying hybrid bluebells. Hybrid bluebells can be hard to distinguish sometimes, and if volunteers are left to do the job alone, it is possible some native bluebells will be accidentally removed.

The woodland to the east, is in a worse condition, but this is likely due to the woodlands age. When the woodland matures fully, it is likely that the ground flora in this area of the woodland will transition to match the rest of the woodland. The glades and rides will also likely become botanical hotspots based on the high proportion of flowering forbes present within the adjacent meadow.

5.4 Pond

While the pond's water was relatively turbid at the time of survey, the invertebrate activity on and around the water's edge would suggest the water is of good quality. As the pond is lined, any management around it will need to be undertaken carefully to avoid puncturing the lining. The margins of the pond are dominated by pond sedge. To improve the invertebrate activity around the pond edge, sections of the vegetation around the edge could be strimmed down to ground level and then over seeded with a pond edge mixture such as EP1 from Emrosgate seeds (https://wildseed.co.uk/).

It would be important to follow a two phase strim method used for reptile and amphibian precautionary approach to habitat manipulation. This would involve taking the vegetation down to a height of roughly 30cm and a suitably qualified ecologist performing a hand check. Once completed, a secondary cut can be undertaken to take the vegetation down to ground level. If sufficient bare ground is exposed after strimming, then seed can be sown directly on top However, if the pond sedge has formed dense root systems and rosettes, a like rake may be required to loosen and expose some of the soil. It is important to do no more than a third of the pond each year to ensure enough pond margin habitat is left remaining for reptiles, amphibians and invertebrates to utilise.

5.5 Allotment Edge

The conservation meadow borders a publicly used allotment to the north. Allotments are an excellent resource that help people eat more fresh food, promote well-being and mental health, create green spaces that can help as wildlife corridors and contribute to sustainability; however, as the allotment is adjacent to a sensitive site, the wrong species being planted in the allotment could be disastrous for the meadow. To control the dispersal of plants that' may be planted in the allotment, such as green alkanet *Pentaglottis sempervirens* which was seen on some of the allotments' boundary, it is recommended that 1m strip of grassland is regularly mown between the allotment and the meadow. This should keep any escapees short and stop them from fruiting/seeding.

In addition, the Parish Council could put up an information board at the entrance to the allotment that discusses the importance of the conservation area, and the damage that non-native plants can cause to habitats and urges the members that use the space to try and plant native species alongside the food they are growing.

6 SPECIES ENHANCEMENTS

6.1 Reptiles

Reptiles likely use the site in good numbers, owing to the favourable habitat. The woodland edge, meadow and pond will all provide excellent refuge and food sources.

Grass cutting from meadow management, once gathered can be piled up in a corner of the site. Grass/compost piles create excellent breeding resources for species such as grass snake *Natrix natrix*. In addition, a reptile and amphibian hibernacula could be created in the meadow. These are best placed on the edge of suitable habitat in a relatively sunny location and provide winter refuge for reptiles to shelter from the cold and remain dormant.

To construct a hibernaculum, the top layer of soil and vegetation should be removed in roughly a 2m x 3m area, ideally trying to keep the structure of the soil and vegetation together to from almost a turf. Then, an additional 15-30cm of soil can be removed. This should then be infilled with brick or sandstone to reach near the ground level. Then multiple logs can be piled on top of the brick to a minimum height of 30cm off the ground layer but can go up at least 50cm. It is important that large logs are used on the bottom to create gaps that animals can use to enter the hibernaculum. Once the logs have been piled up, the 'turf' that had been stripped can now be used as the top layer of the hibernaculum. If thick logs are used, another easy enhancement is to drill holes 10cm deep into the ends of the exposed log to create additional homes for species of invertebrates. This is something that could easily incorporate the volunteers. For pictures on hibernacula creation, please see appendix 1.

Another task that could incorporate volunteers is conducting reptile surveys under appropriate supervision. Using refugia such as corrugated sheets of metal, population estimates, or at least confirmation of reptile species, can be ascertained. Roughly 15 sheets should be placed in sunny locations ensuring some get some in the morning and some get sun in the evening. Again, this is best placed at the edge of the meadow where it will interfere less with meadow management. This can then be checked by volunteers who have been given a toolbox talk on how to safely and effectively lift sheets and how to ID reptile species. Frequency should ideally be kept to one check a week at a maximum to avoid regular disturbance. Peak counts could be recorded for each species for each check and then

could be monitored annually. It is recommended that metal sheets are used, as they are the most durable, and could remain in situ for a long time.

6.2 Bird and Bat Boxes

Both parcels of woodland have trees that are suitable for bird and bat boxes. All the semi-mature and mature trees would be suitable for a number of different bat and bird boxes. The construction of bat and bird boxes could be completed by the volunteers. Resources are available online that explain the materials and method required to create bat boxes. Alternatively, boxes can be purchased following the below advice.

The General-Purpose Bat Box, found online at nhbs.com, is designed to support both crevice and cavity dwelling species. It is constructed from woodcrete, making it sturdy and longer lasting than wood made boxes. Alternatively, there are multiple boxes available on nhbs.com suitable for hanging on trees, such as the Improved Crevice Box and the Kent Bat Box.

For bird boxes, the sturdiest and most long lasting would also be the woodcrete/stonecrete boxes. The Vivara Pro Seville 32mm nest box and the Vivara Barcelona open nest box would be excellent options These would cover most birds that would be found in and around the woodland. Alternatively, NHBS wooden bird boxes could be placed on suitable trees. These wouldn't be as long lasting but would save on cost.

Bat boxes should be placed at least 3m off the ground and be free of any obstructions such as branches or foliage. Bird boxes can generally be placed a little lower, and clear access is not as important as with bat boxes. As there are residential areas within the vicinity, it is important that any boxes that are hung up, are not next to branches that would allow domestic cats to sit near the entrance hole. Bird boxes should be checked and emptied after each breeding season. Bat boxes should only be checked a suitably qualified ecologist.

As well as bat boxes, hedgehog boxes can either be built or purchased online. Resoruces for how to build them are. readily available, or they can be bought from nhbs.com.

6.3 Pond Dipping

Pond dipping is an easy activity that can be completed with members of the public, that gives them easy hands-on experience with UK native wildlife. It Is noted in the Conservation Area Plan that a pond dipping platform could be constructed to be utilised by volunteers. It is also noted within the Conservation Area Plan that the pond is known to have one of the best populations of great crested newt *Triturus cristatus* in Cranleigh. Any activities that would look to directly or indirectly capture great crested newts would need to be carried out by a licensed great crested newt surveyor.

6.4 Additional Activities

As well as pond dipping, other ecology-based activities could be undertaken with volunteers. Bird watching, wildflower identification, butterfly counts, invertebrate surveys and winter tree ID are all things can be fun things for community members to get involved with and help garner a deeper appreciation for the natural world on. Their doorstep. Like pond dipping, these activities would likely need a trained professional/ecologist to be present.

One activity that may be a little more child friendly, could be making bug hotels out of sticks, bamboo, pinecones and other woody material and then tying it up with some garden twine. This would be a basic bug hotel that would get across the principal of their importance and could encourage children to make them for their own gardens when at home. Alternatively, a large, complex and robust bug hotel could be made using old pallets with layers of materials such as bricks, sticks and twigs, logs, leaf matter, plant material, sawdust/woodcuttings, pinecones, chicken wire and old tiles and pipes. To make it even longer lasting, it could be placed on bricks and have a waterproof roof.

An excellent example on how to create a large bug hotel can be found here - https://www.youtube.com/watch?v=dO7FKC8qrr8&t=130s

Other ideas to get children involved and excited for the nature around them is nature collages and even conducting reptile checks with them.

7 CONCLUSION

The habitats located within the Beryl Harvey Field Conservation Area are of high quality and currently appear to be well managed. The recommendations in this report aim to largely keep the habitats and their overall quality the same, with some minor improvements.

APPENDIX 1 – Wildlife Legislation and National Planning Policy

Introduction

The following text is intended for general guidance only and does not constitute comprehensive professional legal advice. It provides a summary of the current legal protection afforded to wildlife in general and certain species. It includes current national planning policy relevant to nature conservation.

The 'Birds Directive', 'Habitats Directive' and 'Natura 2000 Sites'

The Council Directive 79/409/EEC on the Conservation of Wild Birds ("the Birds Directive") sets a framework for the protection of wild birds. Under the Directive, several provisions are made including the designation and protection of 'Special Protection Areas' (SPAs) – areas which support important bird populations, and the legal protection of rare or vulnerable species.

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the "Habitats Directive") directs member states of the EU to take measures to maintain the favourable conservation status of important habitats and species. This requires the designation of a series of sites which contain important populations of species listed on Annex II of the Directive (for example Bechstein's bat *Myotis bechsteinii*, Barbastelle bat *Barbastella barbastellus* and white-clawed crayfish *Austropotamobius pallipes*. Together with 'Special Areas of Conservation' (SACs), SPAs form a network across Europe of protected areas known as the 'Natura 2000 sites'.

Annex IV lists species in need of more strict protection, these are known as "European Protected Species (EPS)". All bat species, common dormice *Muscardinus avellana*, otter *Lutra lutra* and great crested newts *Triturus cristatus* are examples of EPS that are regularly encountered during development projects.

The 'Habitats Regulations'

The Conservation of Habitats and Species Regulations 2017, as amended (the "Habitats Regulations") is the principle means of transposing the Habitats Directive and the Birds Directive, and updates the Conservation (Natural Habitats, &c.) Regulations 1994 ("the 1994 regulations") in England and Wales.

'Natura 2000' sites, now known as National Site Network sites under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, receive the highest level of protection under this regulation which requires that any activity within the zone of influence of these sites would be subject to a Habitats Regulations Assessment (HRA) by the competent authority (e.g. planning authority), leading to an Appropriate Assessment (AA) in cases where 'likely significant effects' to the conservation objectives are identified.

For European Protected Species, Regulation 41 makes it a criminal offence to:

- deliberately capture, injure or kill any such animal;
- deliberately disturb wild animals of such species;
- deliberately take or destroy their eggs (where relevant);
- damage or destroy a *breeding or resting place* of such an animal;
- possess, control, sell or exchange any live or dead animal or plant, of such species;
- deliberately pick, collect, cut, uproot or destroy a wild plant of such species.

The Habitats Directive and Habitats Regulations provide for the derogation from these prohibitions for specific reasons provided certain conditions are met. An EPS licensing regime allows operations that would otherwise be unlawful acts to be carried out lawfully. Natural England is the licensing Authority and, in order to grant a license, ensures that three statutory conditions (sometimes referred to as the 'three derogation tests') are met:

- a licence can be granted for the purposes of "preserving public health or safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment" (Regulation 53 (2) (e);
- a licence can be granted if "there are no satisfactory alternatives" to the proposed action;
- a licence shall not be granted unless the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Wildlife and Countryside Act (1981) as amended

This remains one of the most important pieces of wildlife legislation in the UK. There are various schedules to the Act protecting birds (Schedule 1), other animals including insects (Schedule 5), plants (Schedule 8), and control of invasive non-native species (Schedule 9).

Under the Wildlife and Countryside Act (WCA) 1981, all wild birds (with the exception of those listed on Schedule 2), their eggs and nests are protected by law and it is an offence to:

- take, damage or destroy the nest of any wild bird while it is in use or being built
- take or destroy the egg of any wild bird
- disturb any bird listed on Schedule 1, while it is nest building, or at a nest with eggs or young, or disturb the dependant young of any such bird.

Schedule 5 lists all non-avian animals receiving protection to a varied degree. At its strongest, the Act makes it an offence to intentionally kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturb animals while occupying such places. Examples of species with *full protection* include all EPS, common reptile species, water vole *Arvicola amphibius*, white-clawed crayfish *Austropotamobius pallipes* and Roman snail *Helix pomatia*. Other species are protected from sale, barter or exchange only, such as white letter hairstreak *Satyrium w-album*.

The Act makes it an offence to intentionally pick, uproot or destroy any plant or seed, and sell or possess any plant listed on Schedule 8. It is also an offence to intentionally uproot any wild plant not listed on Schedule 8 unless authorised [by the land owner]. Species on Schedules 5 and 8 are reviewed every 5 years when species can be added or removed.

Measures for the prevention of spreading non-native species which may be detrimental to native wildlife is included in the Act, which prohibits the release of animals or planting of plants into the wild of species listed on Schedule 9 (for example Japanese knotweed *Fallopia japonica*, Himalayan balsam *Impatiens glandifera*, New Zealand Pygmyweed *Crassula helmsii*).

The Wildlife and Countryside Act 1981 (as amended) also prohibits certain inhumane methods of traps and devices for the capture or killing of wild animals and certain additional methods such as fixed trap,

poisoning with gas or smoke, or spot-lighting with vehicles for killing species listed on Schedule 6 of the Act (this includes all bat species, badger, otter, polecat, dormice, hedgehog and red squirrel).

Natural Environment and Rural Communities (NERC) Act (2006)

The NERC Act (2006) created the statutory nature conservation body Natural England, and places a statutory duty on all public bodies, including planning authorities, under Section 40, to take, or promote the taking by others, steps to further the conservation of *habitats and species of principal importance for the conservation of biodiversity* in England (commonly referred to as the 'Biodiversity Duty'). This duty extends to all public bodies the biodiversity duty of Section 74 of the Countryside and Rights of Way (CROW) Act 2000, which placed a duty only on Government and Ministers. Section 41 of the NERC Act lists the habitats and species of principle importance. This includes a wide range of species from mosses, vascular plants, invertebrates through to mammals and birds. It originates from the priority species listed under the UK Biodiversity Action Plan (UK BAP) with some omissions and additions.

Environment Act (2021)

The Environment Act sets a target of halting the decline in species through the inclusion of a legally binding 2030 species abundance target. Aiming to restore natural habitats and enhance biodiversity, the Act requires new developments to improve or create habitats for nature (through mechanisms such as mandatory Biodiversity Net Gain), and tackle deforestation. Going forwards, UK businesses will need to look closely at their supply chains as amongst other measures they will be prohibited from using commodities associated with wide-scale deforestation. Woodland protection measures are also strengthened through the Act.

The Act enables the reform of the Habitats Regulations and further improves protection for nature through the establishment of Local Nature Recovery Strategies that support national Nature Recovery Networks. In addition, the Act provides for the production of Protected Site Strategies and Species Conservation Strategies, aimed at supporting the design and delivery of strategic approaches to deliver better outcomes for nature.

Protection of Badgers Act (1992)

The Badger *Meles meles* is afforded specific legal protection in Britain under the Protection of Badgers Act (1992), and Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) (see above).

Under this legislation, it is a criminal offence to:

- intentionally kill, injure, take, possess, or cruelly ill-treat, a Badger, or to attempt to do so;
- interfere with a sett, by damaging or destroying it;
- to obstruct access to, or any entrance of, a badger sett; or
- to disturb a badger when it is occupying a sett.

A licence may be obtained from Natural England to permit certain prohibited actions for a number of defined reasons including interference of a sett for the purpose of development, provided that a certain number of conditions are met. Note that licenses are not normally granted for works affecting badgers between the end of November and the start of July.

National Planning Policy Framework

The National Planning Policy Framework (NPPF 2024)[2] sets out the Government's view on how planners should balance nature conservation with development and helps ensure that Government meets its biodiversity commitments with regard to the operation of the planning system.

Paragraph 179b, which states that council policies should "promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity." The Office of the Deputy Prime Minister (ODPM) Circular 06/2005, 2005)[3]. In accordance with the NPPF, it is important that developments should contribute to and enhance the natural and local environment by:

- minimising impacts on existing biodiversity and habitats;
- providing net gains in biodiversity and habitats, wherever possible;
- establishing coherent ecological networks that are more resilient to current and future pressures.

UK Post-2010 Biodiversity Framework

The UK Biodiversity Action Plan (UK BAP), first published in 1994, was the UK's response to the commitments of the Rio Convention on Biological Diversity (1992) until 2010, when the UK BAP was replaced by the UK Post-2010 Biodiversity Framework. This framework covers the period 2011 to 2020 and forms the UK government's response to the new strategic plan of the United Nations Convention on Biodiversity (CBD) published in 2010. This promotes a focus on individual countries delivering target for protection for biodiversity through their own strategies.

The most recent biodiversity strategy for England, 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' was published by Defra (2011), and a progress update was provided in July 2013 (Defra 2013).

'Biodiversity 2020' builds on the Natural Environment White Paper for England – 'The Natural Choice', published on 7 June 2011, and sets out the strategic direction for biodiversity policy for the next decade.

Biodiversity 2020 deliberately avoids setting specific targets and actions for local areas and species because the Government believes that local people and organisations are best placed to decide how to implement the strategy in the most appropriate way for their local area or situation.

Birds of Conservation Concern (BoCC)

In 1996, the UK's leading non-governmental bird conservation organisations listed the conservation status of all bird species in the UK against a series of criteria relating to their population size, trends and relative importance to global conservation. The lists, known as the 'Red', 'Amber' and 'Green' lists (in order of decreasing concern) are used to inform key conservation policy and decisions. The lists are reviewed every five years and are a useful reference for determining the current importance of a particular site for birds. The most recent review was undertaken in 2021 (Stanbury et al, 2021), which provides an up to date assessment of the conservation status of birds in the UK.

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[2] HM Government (2023). National Planning Policy Framework. Department for Communities and Local Government. Available online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

[3] HM Government (2005) ODPM Circular 06/05 Government Circular: *Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System*. Available online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf.

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APPENDIX 2 – Hibernacula Creation

Photo 1a and 1b. Left illustrates the initial digging phase, right illustrates the initial layer of rocks/stone going in.

Photo 2. First layer of logs.

Photo 3. Finished hibernacula with the layer of stripped turf laid on top.