

Appendix 1: Summaries of Relevant Policy, Legislation and Other Instruments

This section briefly summarises the legislation, policy and related issues that are relevant to the main text of the report. The following text does not constitute legal or planning advice.

North Hertfordshire Local Plan 2011-2031 (Adopted November 2022)

“This Local Plan sets out the long-term vision for the district by identifying how and where new homes, jobs and infrastructure will be delivered. The plan encourages high-quality sustainable design and consideration for the natural environment. In 2019 the Council declared a climate emergency and committed to take action to address the causes of climate change across the district. An overarching principle of the Local Plan is to achieve sustainable development. [...]”

North Hertfordshire has a wide range of green infrastructure and environmental assets of local, regional and national importance. The plan seeks to protect, maintain and enhance the historical and natural environment. Policies encourage the provision of open space within new development to promote healthy lifestyles, sport, play and recreation. To mitigate against harm to the environment, the plan has adopted biodiversity net gain to protect or create new habitats. These policies in the plan have been adopted to enhance North Hertfordshire. We have considered the needs of residents and how we can achieve sustainable development whilst also delivering new housing.”

Key Policies relating to this proposed development. Are shown below.

Policy SP12: Green infrastructure, landscape and biodiversity

“We will accommodate significant growth during the plan period whilst ensuring the natural environment is protected and enhanced. We will:

- a) Protect, identify, manage and where possible enhance a strategic multi-functional network of green infrastructure;
- b) Consider and respect landscape character, scenic beauty and locally sensitive features, particularly in relation to the Chilterns Area of Outstanding Natural Beauty;
- c) Protect, enhance and manage designated sites in accordance with the following hierarchy of designations and features:
 - Internationally designated sites
 - Nationally designated sites
 - Locally designated sites;
 - Non-designated sites that include important habitats and species
- d) Protect, enhance and manage biodiversity networks including wildlife corridors, ancient woodlands and hedgerows, wetland and riverine habitats, Local Geological Sites, protected species, priority species and habitats, and non-designated sites of ecological value and ensure measurable net gains for biodiversity; and
- e) Protect other open spaces and support provision of new and improved open space.”

Policy NE4: Biodiversity and geological sites

“Planning permission will only be granted for development proposals that appropriately protect, enhance and manage biodiversity in accordance with the hierarchy and status of designations and features listed in Policy SP12. All development should deliver measurable net gains for biodiversity and geodiversity, contribute to ecological networks and the water environment, and/or restore degraded or isolated habitats where possible. Applicants should, having regard to the status of any affected site(s) or feature(s):

- a) Submit an ecological survey that is commensurate to the scale and location of the development and the likely impact on biodiversity, the legal protection or other status of the site;

b) Demonstrate that adverse effects can be avoided and / or satisfactorily minimised having regard to the hierarchy of protection below:

- i. locating on an alternative site with a less harmful impact;
- ii. providing adequate mitigation measures; or
- iii. as a last resort compensated for.

The acceptability of approach(es) to avoidance, mitigation and compensation will be commensurate with the status of the asset(s) likely to be affected by the application; Compensation is unlikely to be an appropriate solution for proposals affecting nationally or internationally designated sites other than in the most exceptional circumstances.

c) Include appropriate measures to manage construction impacts by demonstrating how existing wildlife habitats supporting protected or priority species will be retained, safeguarded and managed during construction;

d) Integrate appropriate buffers of complimentary habitat for designated sites and other connective features, wildlife habitats, priority habitats and species into the ecological mitigation and design. The appropriateness of any buffers will be considered having regard to the status of the relevant habitat. 12 metres of complimentary habitat should be provided around wildlife sites (locally designated sites and above), trees and hedgerows. It may be necessary to exceed this distance for fragile habitats such as ancient woodland or to provide appropriate root protection for mature trees; and

e) Provide a long-term management and monitoring plan including mitigation measures as necessary. Local Geological Sites are ratified by the Herts & Middlesex Wildlife Trust (HMWT) and are afforded the same protection as Local Wildlife Sites."

Policy NE12: Renewable and low carbon energy development

"Proposals for solar farms involving the best and most versatile agricultural land and proposals for wind turbines will be determined in accordance with national policy. Proposals for other renewable and low carbon energy development which would contribute towards reducing greenhouse gas emissions will be permitted subject to an assessment of the impacts upon:

- i. Landscape quality, landscape character and visual amenity, including consideration of cumulative impacts of development;
- ii. Environmental assets;
- iii. The historic environment, including the impact on the setting of historic assets ;
- iv. The transport network;
- v. Air quality;
- vi. Aviation interests; and
- vii. The amenity of residents.

In assessing renewable and low carbon energy proposals against the above criteria the Council will give significant weight to their local and wider benefits, particularly the potential to reduce greenhouse gas and other harmful emissions, and the social benefits of community owned schemes where this is relevant. Proposals for decentralised energy schemes associated with development of the strategic sites allocated in the Plan will be encouraged subject to an assessment of the impacts. In all cases, end of life/redundant plant, buildings, apparatus, and infrastructure must be removed and the site restored to its former state or a condition agreed with the Council."

National Planning Policy Framework

The Government issued the National Planning Policy Framework (NPPF) in December 2024. Text excerpts from the NPPF are shown where they may be relevant to planning applications and biodiversity including protected sites, habitats and species.

The Government sets out the three objectives for sustainable development (economy, social and environmental) at paragraphs 8-10 to be delivered through the plan preparation and implementation level and 'are not criteria against which every decision can or should be judged' (paragraph 9). The planning

system's environmental objective is 'to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity...' (paragraph 8c).

In conserving and enhancing the natural environment, the NPPF (Paragraph 187) states that 'planning policies and decisions should contribute to and enhance the natural and local environment' by:

- Protecting and enhancing...sites of biodiversity value... '(in a manner commensurate with their statutory status or identified quality in the development plan)'.
- Recognising the wider benefits from natural capital and ecosystem services... including... trees and woodland.
- Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs.
- Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

In respect of protected sites, at paragraph 188, the NPPF requires local planning authorities to distinguish, at the plan level, '...between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value...take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.' A footnote to paragraph 188 refers to the preferred use of agricultural land of poorer quality if significant development of agricultural land is to take place.

Paragraph 192 refers to how plans should aim to protect and enhance biodiversity. Plans should: 'identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity [a footnote refers to ODPM Circular 06/2005 for further guidance in respect of statutory obligations for biodiversity in the planning system], wildlife corridors and stepping stones that connect them and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation;' and to 'promote the conservation, restoration and re-creation 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.'

Paragraph 193 advises that, when determining planning applications, '...local planning authorities should apply the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments) should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- development resulting in the loss or deterioration of irreplaceable habitats, (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'

In paragraph 194, the following should be given the same protection as habitats sites:

- potential Special Protection Areas and possible Special Areas of Conservation;
- listed or proposed Ramsar sites; and
- sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.'

In paragraph 195 the NPPF refers back to sustainable development in relation to appropriate assessment and states: 'the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site'.

In paragraph 196, the NPPF refers to planning policies and decisions taking account of ground conditions and risks arising from land instability and contamination at sites. In relation to risks associated with land remediation account is to be taken of 'potential impacts on the natural environment' that arise from land remediation.

In paragraph 198 the NPPF states that planning policies and decisions should ensure that development is appropriate to the location and take into account likely effects (including cumulative) on the natural environment and, in doing so, they 'should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation' (paragraph 198c).

Government Circular ODPM 06/2005 Biodiversity and Geological Conservation

Paragraph 98 of Government Circular 06/2005 advises that "the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Local authorities should consult Natural England before granting planning permission. They should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species. They should also advise developers that they must comply with any statutory species' protection provisions affecting the site concerned..."

Paragraph 99 of Government Circular 06/2005⁶ advises that "it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted".

Standing Advice (GOV.UK)

The GOV.UK website provides information regarding protected species and sites in relation to development proposals: 'Local planning authorities should take advice from Natural England or the Environment Agency about planning applications for developments that may affect protected species.' GOV.UK advises that 'some species have standing advice which you can use to help with planning decisions. For others you should contact Natural England or the Environment Agency for an individual response.'

The standing advice (originally from Natural England and now held and updated on GOV.UK⁷) provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides advice on survey and mitigation requirements.

When determining an application for development that is covered by standing advice, in accordance with guidance in Government Circular 06/2005, Local planning authorities are required to take the standing advice into account. In paragraph 82 of the aforementioned Circular, it is stated that: 'The standing advice will be a material consideration in the determination of the planning application in the same way as any advice received from a statutory consultee...it is up to the planning authority to decide the weight to be

⁶ ODPM Circular 06/2005. *Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impacts within the Planning System* (2005). HMSO Norwich.

⁷ <https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications#standing-advice-for-protected-species>

attached to the standing advice, in the same way as it would decide the weight to be attached to a response from a statutory consultee.’

The Environment Act 2021

The Environment Act includes the requirement for mandatory biodiversity gain for all qualifying developments in England through an amendment to the Town and Country Planning Act 1990 which came into force on 12 February 2024. For all qualifying developments in England, The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 (SI44) at Regulation 3 advises in relation to planning applications that *‘the biodiversity gain planning condition does not apply in relation to a planning permission within the scope of regulation 2 (2) of these Regulations, where the application for planning permission was made before 12th February 2024’*. From 12 February 2024, the Act and associated secondary Regulations (SI2024 No’s 44- 50) insert amendments into the Town and Country Planning Act 1990 which in summary require the following for all qualifying developments in England:

- The provision of a required percentage of biodiversity gain, currently set nationally to be at 10%, as a general condition of planning permission,
- The use of the statutory Biodiversity Metric to calculate the biodiversity gain,
- Submission to and approval by the planning authority, of a Biodiversity Gain Plan (BGP) for the development before the development may be begun; the BGP is to be prepared using a template prepared by Defra to demonstrate how biodiversity gain will be delivered on and / or off-site and how the biodiversity gain hierarchy has been applied so that the local planning authority can take account of the approach taken when deciding whether to approve the BGP,
- Significant on-site biodiversity gain and all offsite biodiversity gain to be secured for a fixed period, currently nationally set at 30 years,
- Alternative arrangements to be made for the purpose of minimising the adverse effect of development to habitats deemed to be irreplaceable habitat (see NPPF),
- Demonstration of how the biodiversity gain will be secured, typically through planning obligations in a section 106 agreement,
- Registration of offsite biodiversity gain and allocation of relevant biodiversity units to a given development in a national register for which Natural England is the Register Operator,
- Use of statutory biodiversity credits through the Secretary of State, which is considered to be a last resort, if onsite and/or offsite biodiversity gains cannot achieve the required percentage.

Natural Environment and Rural Communities (NERC) Act 2006 – Habitats and species of principal importance

The Natural Environment and Rural Communities (NERC) Act came into force on 01 October 2006. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The list has been drawn up in consultation with Natural England as required by the Act. In accordance with the Act the Secretary of State keeps this list under review and will publish a revised list if necessary, in consultation with Natural England.

The S41 list is used to guide decision-makers such as public authorities, including local authorities, local planning authorities and statutory undertakers, the latter such as utilities companies, in implementing their duty under Section 40 of the NERC Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal functions, including development management and planning. This was previously commonly referred to as the ‘Biodiversity Duty.’

On 01 October 2024 the Biodiversity Duty⁸ was updated and strengthened to become a ‘duty to conserve and enhance biodiversity’ which requires public authorities to consider what action the authority can take to further the Government’s ‘general biodiversity objective’. The public authority then must determine appropriate policy actions and specific objectives that can be taken and must take the appropriate action.

⁸ [Natural Environment and Rural Communities Act 2006](#)

Actions to satisfy the general biodiversity objective may be through the revision of existing policies and 'specific objectives.' The public authority must have regard to the relevant Local Nature Recovery Strategy and relevant national species and/or protected sites strategies prepared by Natural England when complying with the general biodiversity objective. Consideration by a given public authority was first to take place within one year of the Environment Act 2021 coming into force and then be subject to a review after no more than 5 years although other reviews can be undertaken at any time.

Guidance for public authorities in England on implementing the Biodiversity Duty has been published by Defra⁹ on GOV.UK. The guidance requires a public authority to consider what they can do to conserve and enhance biodiversity and how they deliver their policies and actions to achieve their objectives. The roles of Local Nature Recovery Strategies, species and protected sites strategies are set out and public authorities are advised that the action they take at a local level will contribute to national biodiversity goals and targets. Public authorities are required to consider their enhanced biodiversity duty in development plans and decisions including planning policy, environmental impact assessment and how they manage their own land to improve biodiversity value including details in relation to 'green and blue spaces.' Guidance is also provided on how local authorities and local planning authorities must write and publish a biodiversity report as part of fulfilling their duty; these individual authority reports will be used by Defra as part of their Environmental Improvement Plan 5-yearly reviews.

In 2007, the UK Biodiversity Action Plan (BAP) Partnership published an updated list of priority UK species and habitats covering terrestrial, freshwater and marine biodiversity to focus conservation action for rarer species and habitats in the UK. The UK Post-2010 Biodiversity Framework¹⁰, which covers the period from 2011 to 2020, now succeeds the UK BAP. The UK priority list contained 1150 species and 65 habitats requiring special protection and has been used as a reference to draw up the lists of species and habitats of principal importance in England.

In England, there are 56 Habitats of Principal Importance and 943 Species of Principal Importance on the S41 list. These are all the habitats and species found in England that were identified as requiring action in the UK BAP and which continue to be regarded as conservation priorities in the subsequent UK Post-2010 Biodiversity Framework.

European protected species (Animals)

The Conservation of Habitats and Species Regulations 2017 (as amended) consolidates various amendments that have been made to the original (1994) Regulations which transposed the EC Habitats Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Council Directive 92/43/EEC) into national law.

"European protected species" (EPS) of animal are those which are shown on Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). They are subject to the provisions of Regulation 43 of those Regulations. All EPS are also protected under the Wildlife and Countryside Act 1981 (as amended). Taken together, these pieces of legislation make it an offence to:

- a. Intentionally or deliberately capture, injure or kill any wild animal included amongst these species
- b. Possess or control any live or dead specimens or any part of, or anything derived from a these species
- c. deliberately or recklessly disturb wild animals of any such species
- d. deliberately take or destroy the eggs of such an animal, or
- e. intentionally, deliberately or recklessly damage or destroy a breeding site or resting place of such an animal, or obstruct access to such a place

For the purposes of paragraph (c), disturbance of animals includes in particular any disturbance which is likely—

- a. to impair their ability—
 - i. to survive, to breed or reproduce, or to rear or nurture their young, or

⁹ [Complying with the biodiversity duty - GOV.UK](https://www.gov.uk/guidance/complying-with-the-biodiversity-duty)

¹⁰ JNCC and Defra (on behalf of the Four Countries' Biodiversity Group). 2012. *UK Post-2010 Biodiversity Framework*. July 2012. (<http://jncc.defra.gov.uk/page-6189>)

- ii. in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
- b. to affect significantly the local distribution or abundance of the species to which they belong.

Although the law provides strict protection to these species, it also allows this protection to be set aside (derogated) through the issuing of licences. The licences in England are currently determined by Natural England (NE) for development works and by Natural Resources Wales in Wales. In accordance with the requirements of the Regulations (2017, as amended), a licence can only be issued where the following requirements are satisfied:

- a. The proposal is necessary 'to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'
- b. 'There is no satisfactory alternative'
- c. The proposals 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.'

Definition of breeding sites and resting places

Guidance for all European Protected Species of animal, including bats and great crested newt, regarding the definition of breeding and of breeding and resting places is provided by The European Council (EC) which has prepared specific guidance in respect of the interpretation of various Articles of the EC Habitats Directive.¹¹ Section II.3.4.b) provides definitions and examples of both breeding and resting places at paragraphs 57 and 59 respectively. This guidance states that 'The provision in Article 12(1)(d) [of the EC Habitats Directive] should therefore be understood as aiming to safeguard the ecological functionality of breeding sites and resting places.' Further the guidance states: 'It thus follows from Article 12(1)(d) that such breeding sites and resting places also need to be protected when they are not being used, but where there is a reasonably high probability that the species concerned will return to these sites and places. If for example a certain cave is used every year by a number of bats for hibernation (because the species has the habit of returning to the same winter roost every year), the functionality of this cave as a hibernating site should be protected in summer as well so that the bats can re-use it in winter. On the other hand, if a certain cave is used only occasionally for breeding or resting purposes, it is very likely that the site does not qualify as a breeding site or resting place.'

Competent authorities

Under Regulation 7 of the Conservation of Habitats and Species Regulations 2017 (as amended) a "competent authority" includes "any Minister of the Crown..., government department, statutory undertaker, public body of any description or person holding a public office."

In accordance with Regulation 9, "a competent authority must exercise their functions which are relevant to nature conservation, including marine conservation, so as to secure compliance with the requirements of the [Habitats and Birds] Directives. This means for instance that when considering development proposals a competent authority should consider whether EPS or European Protected Sites are to be affected by those works and, if so, must show that they have given consideration as to whether derogation requirements can be met."

Birds

All nesting birds are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally kill, injure or take any wild bird or take, damage or destroy its nest whilst in use or being built, or take or destroy its eggs. In addition to this, for some rarer species (listed on Schedule 1 of the Act), it is an offence to disturb them whilst they are nest building or at or near a nest with eggs or young, or to disturb the dependent young of such a bird.

The Conservation of Habitats and Species Regulations 2017 (as amended) places duties on competent authorities (including Local Authorities and National Park Authorities) in relation to wild bird habitat. These provisions relate back to Articles 1, 2 and 3 of the EC Directive on the conservation of wild birds

¹¹ Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC. (February 2007), EC.

(2009/147/EC, 'Birds Directive'¹²) (Regulation 10 (3)) requires that the objective is the 'preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in the United Kingdom, including by means of the upkeep, management and creation of such habitat, as appropriate, having regard to the requirements of Article 2 of the new Wild Birds Directive...' Regulation 10 (7) states: 'In considering which measures may be appropriate for the purpose of security or contributing to the objective in [Regulation 10 (3)] Paragraph 3, appropriate account must be taken of economic and recreational requirements'.

In relation to the duties placed on competent authorities under the 2017 Regulations, Regulation 10 (8) states: 'So far as lies within their powers, a competent authority in exercising any function [including in relation to town and country planning] in or in relation to the United Kingdom must use all reasonable endeavours to avoid any pollution or deterioration of habitats of wild birds (except habitats beyond the outer limits of the area to which the new Wild Birds Directive applies).'

Badger

Badger is protected under the Protection of Badgers Act 1992. It is not permitted to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so; or to intentionally or recklessly interfere with a sett. Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it. A badger sett is defined in the legislation as "a structure or place, which displays signs indicating current use by a badger".

ODPM Circular 06/2005¹³ provides further guidance on statutory obligations towards badger within the planning system. Of particular note is paragraph 124, which states that "The likelihood of disturbing a badger sett, or adversely affecting badgers' foraging territory, or links between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations, are capable of being material considerations in planning decisions."

Natural England provides Standing Advice¹⁴, which is capable of being a material consideration in planning decisions. Natural England recommends mitigation to avoid impacts on badger setts, which includes maintaining or creating new foraging areas and maintaining or creating access (commuting routes) between setts and foraging/watering areas.

Reptiles

All native reptile species receive legal protection in Great Britain under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Viviparous lizard, slow-worm, grass snake and adder are protected against killing, injuring and unlicensed trade only. Sand lizard and smooth snake receive additional protection as "European Protected species" under the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended) and are fully protected under the Wildlife and Countryside Act 1981 (as amended).

All six native species of reptile are included as 'species of principal importance' for the purpose of conserving biodiversity under Section 41 (England) of the NERC Act 2006 (as amended) and Section 7 of the Environment (Wales) Act 2016.

Current Natural England Guidelines for Developers¹⁵ states that 'where it is predictable that reptiles are likely to be killed or injured by activities such as site clearance, this could legally constitute intentional killing or injuring.' Further the guidance states: 'Normally prohibited activities may not be illegal if 'the act was the incidental result of a lawful operation and could not reasonably have been avoided'. Natural England 'would expect reasonable avoidance to include measures such as altering development layouts to avoid key areas, as well as capture and exclusion of reptiles.'

The Natural England Guidelines for Developers state that 'planning must incorporate two aims where reptiles are present:

- To protect reptiles from any harm that might arise during development work;

¹² 2009/147/EC Birds Directive (30 November 2009. European Parliament and the Council of the European Union.

¹³ ODPM Circular 06/2005. *Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impacts within the Planning System* (2005). HMSO Norwich.

¹⁴ <http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/specieslinks.aspx>

¹⁵ English Nature, 2004. *Reptiles: guidelines for developers*. English Nature, Peterborough. <https://webarchive.nationalarchives.gov.uk/20150303064706/http://publications.naturalengland.org.uk/publication/76006>

- To ensure that sufficient quality, quantity and connectivity of habitat is provided to accommodate the reptile population, either on-site or at an alternative site, with no net loss of local reptile conservation status.'

Wild mammals in general

The Wild Mammals (Protection) Act 1996 (as amended) makes provision for the protection of wild mammals from certain cruel acts, making it an offence for any person to intentionally cause suffering to any wild mammal. In the context of development sites, for example, this may apply to rabbits in their burrows.

Invasive non-native species

An invasive non-native species is any non-native animal or plant that has the ability to spread causing damage to the environment.

Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to release, or to allow to escape into the wild, any animal which is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state or is listed under Schedule 9 of the Act.

It is an offence to plant or otherwise cause to grow in the wild invasive non-native plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

Hedgerows

Article 10 of the Habitats Directive¹⁶ requires that 'Member States shall endeavour...to encourage the management of features of the landscape which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure...or their function as stepping stones...are essential for the migration, dispersal and genetic exchange of wild species'. Examples given in the Directive include traditional field boundary systems (such as hedgerows).

The aim of the Hedgerow Regulations 1997¹⁷, according to guidance produced by the Department of the Environment¹⁸, is "to protect important hedgerows in the countryside by controlling their removal through a system of notification. In summary, the guidance states that the system is concerned with the removal of hedgerows, either in whole or in part, and covers any act which results in the destruction of a hedgerow. The procedure in the Regulations is triggered only when land managers or utility operators want to remove a hedgerow. The system is in favour of protecting and retaining 'important' hedgerows.

The Hedgerow Regulations set out criteria that must be used by the local planning authority in determining which hedgerows are 'important'. The criteria relate to the value of hedgerows from an archaeological, historical, wildlife and landscape perspective.

Japanese knotweed

It is an offence to plant or cause the spread of Japanese knotweed in the wild under the Wildlife and Countryside Act 1981 (as amended). All waste containing Japanese knotweed comes under the control of Part II of the Environmental Protection Act 1990.

The Environment Agency has produced "The Knotweed Code of Practice", which provides guidance on how to manage Japanese knotweed legally on development sites¹⁹. This document provides ecological information on Japanese knotweed, details of how to prevent its spread, how to manage Japanese knotweed and information on disposal. Natural Resources Wales refers to Environment Agency guidance in respect of landowners responsibilities in Wales and to the Wildlife and Countryside Act 1981 (as amended).

¹⁶ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

¹⁷ Statutory Instrument 1997 No. 1160 – The Hedgerow Regulations 1997. HMSO: London

¹⁸ The Hedgerow Regulations 1997: a guide to the law and good practice, HMSO: London

¹⁹ *Managing Japanese knotweed on development sites: the knotweed code of practice* (2006). Environment Agency. <https://www.gov.uk/government/publications/japanese-knotweed-managing-on-development-sites>. See also 2013 Code of Practice update.

Appendix 2: BESS Plans

L100

Landscape Strategy **L100**
Rev A

— Hertfordshire Way Long-distance Footpath
to the west of the site

 **Existing trees and woodland to be retained**
and Root Protection Areas (black), refer to Tree
survey

 **Proposed trees** refer to drawing L101 for planting schedule

Proposed native hedge, mix of 7 species, refer to drawing L101 for planting schedule

Proposed native shrub planting mix, refer to drawing L101 for planting schedule

Proposed native specimen shrubs to fill gaps
refer to drawing L101 for planting schedule

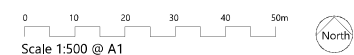
 **Proposed species-rich grass**, Emorsgate EM1:
General Purpose Meadow Mix, refer to drawing
L101

 **Proposed species-rich grass mix in SuDS feature, Emorsgate EM8: Meadow Mixture for Wetlands, refer to drawing L101**

 Proposed drainage feature, refer to drainage plans Existing services/ overhead lines / easements

Notes

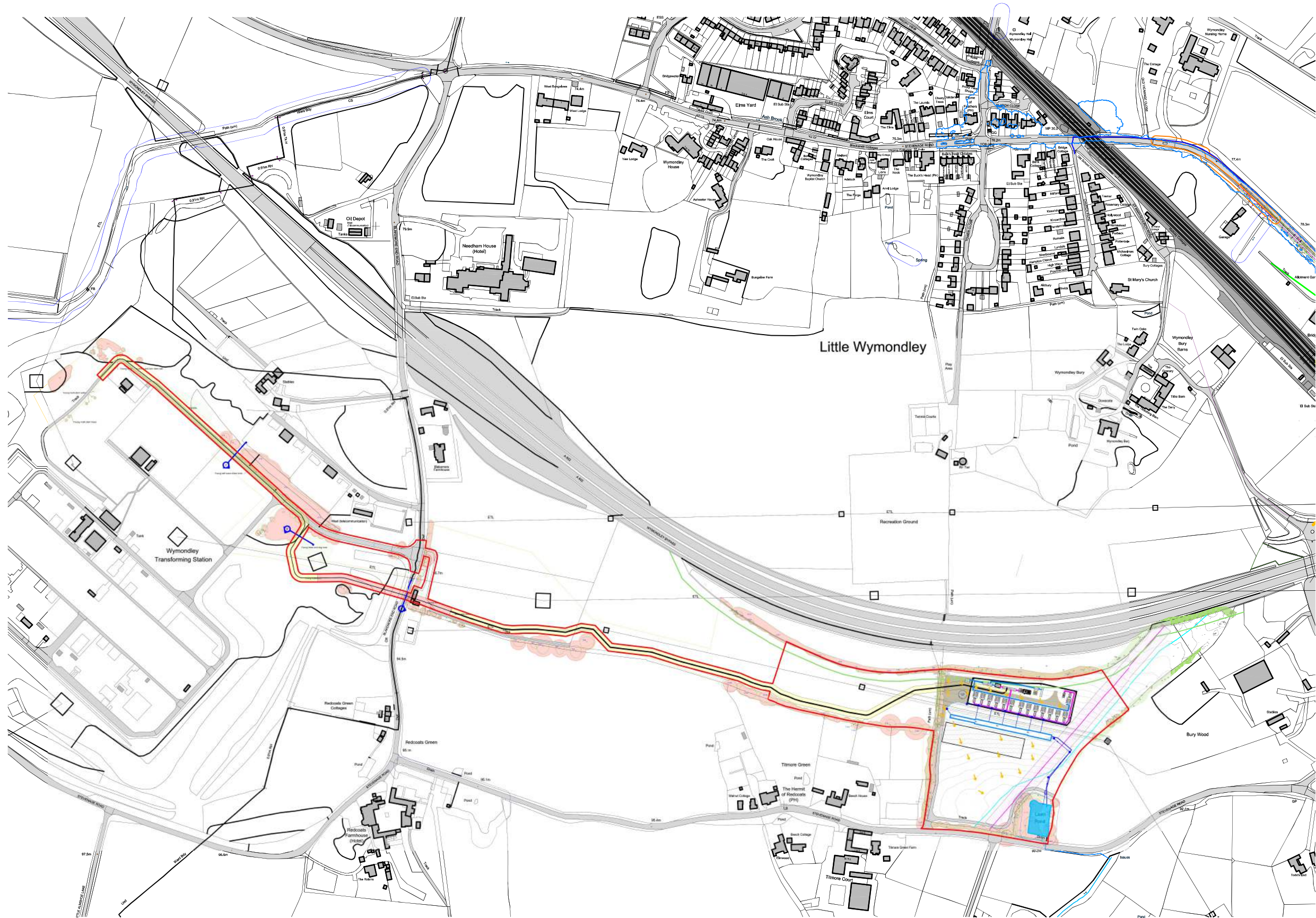
- Refer to site layout plans for battery storage proposals, including fencing and access routes.
- Refer to the Tree Survey for existing and retained trees.



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03 April 2025

Appendix 3: Cable Route Plans



NOTES

1. Drawing details and dimensions for planning purposes only.

LEGEND

- POC CABLE ROUTE (10M EASEMENT)
HDD AREA (10M EASEMENT)

07.	Title Updated	07.04.25	SRV
06.	Red line updated	21.02.25	SRV
05.	Section lines added	13.02.25	SRV
04.	Site moved North	30.01.25	SRV
03.	Equipment Layout updated	25.01.25	SRV
02.	Cable route updated	24.01.25	SRV
01.	Initial Issue	14.01.25	SRV
Rev	Description	Date	Checked

Drawing No.

WYM-EDFR-BESS-CIV-260-07

Project

Wymondley BESS

Title

Cable Route DD Plan

Scale 1:5000 @A3 Drawn by JL Checked SRV Date 14.01.25



Appendix 4: GCN eDNA Survey Results

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GCN Report

Technical Report



SureScreen Scientifics

GCN eDNA Analysis

Summary

When great crested newts (GCN), *Triturus cristatus* , inhabit a pond, they continuously release small amounts of their DNA into the environment. By collecting and analyzing water samples, we can detect these small traces of environmental DNA (eDNA) to confirm GCN habitation or establish GCN absence.

Results

Lab ID	Site Name	OS Reference	Degradation Check	Inhibition Check	Result	Positive Replicates
6896	Pond 7		Pass	Pass	Negative	0/12

Matters affecting result: none

Reported by: Daisy Chambers

Approved by: Jennifer Higginbottom



Methodology

The samples detailed above have been analyzed for the presence of GCN eDNA following the protocol stated in DEFRA WC1067 'Analytical and methodological development for improved surveillance of the Great Crested Newt, Appendix 5.' (Biggs et al. 2014). Each of the 6 sub-sample tubes are first centrifuged and pooled together into a single sample tube which then undergoes DNA extraction. The extracted sample is then analyzed using real-time PCR (qPCR), which uses species-specific molecular markers to amplify GCN DNA within a sample. These markers are unique to GCN DNA, meaning that there should be no detection of closely related species.

If GCN DNA is present, the DNA is amplified up to a detectable level, resulting in positive species detection. If GCN DNA is not present then amplification does not occur, and a negative result is recorded. Analysis of eDNA requires attention to detail to prevent the risk of contamination. True positive controls, negative controls, and spiked synthetic DNA are included in every analysis and these have to be correct before any result is declared and reported. Stages of the DNA analysis are also conducted in different buildings at our premises for added analytical security.

SureScreen Scientifics Ltd is ISO9001 accredited and participates in Natural England's proficiency testing scheme for GCN eDNA testing.

Interpretation of Results

- Sample Integrity Check:** When samples are received in the laboratory, they are inspected for any tube leakage, suitability of sample (not too much mud or weed etc.) and absence of any factors that could potentially lead to inconclusive results. Any samples which fail this test are rejected and eliminated before analysis.
- Degradation Check:** **Pass/Fail.** Analysis of the spiked DNA marker to see if there has been degradation of the kit or sample between the date it was made to the date of analysis. Degradation of the spiked DNA marker may lead indicate a risk of false negative results.
- Inhibition Check:** **Pass/Fail.** The presence of inhibitors within a sample is assessed using a DNA marker. If inhibition is detected, samples are purified and re-analyzed. Inhibitors cannot always be removed, if the inhibition check fails, the sample should be re-collected.
- Result:** **Presence of GCN eDNA (Positive/Negative/Inconclusive)**
Positive: GCN DNA was identified within the sample, indicative of GCN presence within the sampling location at the time the sample was taken or within the recent past at the sampling location.
Positive Replicates: Number of positive qPCR replicates out of a series of 12. If one or more of these are found to be positive the pond is declared positive for GCN presence. It may be assumed that small fractions of positive analyses suggest low level presence, but this cannot currently be used for population studies. In accordance with the WC1067 Natural England protocol, even a score of 1/12 is declared positive. 0/12 indicates negative GCN presence.
Negative: GCN eDNA was not detected or is below the threshold detection level and the test result should be considered as evidence of GCN absence, however, does not exclude the potential for GCN presence below the limit of detection.
Inconclusive: Controls indicate inhibition or degradation of the sample, resulting in the inability to provide conclusive evidence for GCN presence or absence.



Appendix 5: Condition Assessment Results

Table A5-1: Condition Assessment Information for Grassland (Moderate and High Distinctiveness) – Other neutral grassland at Wymondley Substation

Habitat	Condition	Condition Assessment Criteria (see below)					
		A	B	C	D	E	F
Other neutral grassland	Moderate	Yes	Yes	Yes	Yes	No	No

Condition Assessment Criteria: **A:** The grassland is a good representation of the habitat type it has been identified as, based on its UKHab description; **B:** Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm); **C:** Cover of bare ground is between 1% and 5%, including localised areas, for example, rabbit warrens; **D:** Cover of bracken *Pteridium aquilinum* is less than 20% and cover of scrub (including bramble *Rubus fruticosus* agg.) is less than 5%; **E:** Combined cover of species indicative of sub-optimal condition and physical damage accounts for less than 5% of total area; **F:** There are 10 or more vascular plant species per m² present that are characteristic of the habitat type (non-acid grasslands only).

Table A5-2: Condition Assessment Information for Grassland (Low Distinctiveness) – Modified grassland

Habitat	Condition	Condition Assessment Criteria (see below)						
		A	B	C	D	E	F	G
Modified grassland	Poor	No	No	Yes	Yes	Yes	Yes	Yes

Condition Assessment Criteria: **A:** There are 6-8 vascular plant species per m² present, including at least 2 forbs. Note – this criterion is essential for achieving Moderate or Good Condition; **B:** Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm) creating microclimates which provide opportunities for vertebrates and invertebrates to live and breed; **C:** Some scattered scrub (including bramble *Rubus fruticosus* agg.) may be present, but scrub accounts for less than 20% of total grassland area. (Note - patches of scrub with continuous (more than 90%) cover should be classified as the relevant scrub habitat type; **D:** Physical damage is evident in less than 5% of total grassland area. Examples of physical damage include excessive poaching, damage from machinery use or storage, erosion caused by high levels of access, or any other damaging management activities; **E:** Cover of bare ground is between 1% and 10%, including localised areas (for example, a concentration of rabbit warrens); **F:** Cover of bracken *Pteridium aquilinum* is less than 20%; **G:** There is an absence of invasive non-native plant species.

Table A5-3: Condition Assessment Information for Ponds 1, 3, 4 and 7. NB access was not available to ponds 2, 5, 6, 8, and 9.

Pond number	Condition	Condition Assessment Criteria (see below)						
		A	B	C	D	E	F	G
Pond 1	Poor	No	No	Yes	No	Yes	Yes	Yes
Pond 3	Poor	No	No	Yes	No	Yes	Yes	Yes
Pond 4	Poor	Yes	No	Yes	No	Yes	Yes	No

Pond 7	Poor	No	No	Yes	No	Yes	Yes	Yes
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Condition Assessment Criteria: **A:** The pond is of good water quality, with clear water (low turbidity) indicating no obvious signs of pollution. Turbidity is acceptable if the pond is grazed by livestock; **B:** There is semi-natural habitat (moderate distinctiveness or above) completely surrounding the pond, for at least 10 m from the pond edge for its entire perimeter; **C:** Less than 10% of the water surface is covered with duckweed *Lemna* spp. or filamentous algae; **D:** The pond is not artificially connected to other waterbodies, e.g. agricultural ditches or artificial pipework; **E:** Pond water levels can fluctuate naturally throughout the year. No obvious artificial dams, pumps or pipework; **F:** There is an absence of listed non-native plant and animal species; **G:** The pond is not artificially stocked with fish. If the pond naturally contains fish, it is a native fish assemblage at low densities; **H:** Emergent, submerged or floating plants (excluding duckweed) cover at least 50% of the pond area which is less than 3 m deep; **I:** The pond surface is no more than 50% shaded by adjacent trees and scrub.

Table A5-4: Condition Assessment Information for Woodland ('Lowland mixed deciduous woodland' adjacent to Pond 7 and 'Other woodland broadleaved' just west of Blakemore End Road.

Habitat	Condition	Condition Assessment Criteria (see below)												
		A	B	C	D	E	F	G	H	I	J	K	L	M
Lowland mixed deciduous woodland	Poor	1	2	3	1	2	3	1	2	1	1	1	1	3
Other woodland; broadleaved	Poor	2	2	3	1	2	2	1	2	1	2	1	2	2

Condition Assessment Criteria: **A: Age distribution of trees** (Good: Three age-classes present; Moderate: two age classes present; Poor: one age-class present); **B: Wild, domestic and feral herbivore damage** (Good: No significant browsing damage evident in woodland; Moderate: Evidence of significant browsing pressure is present in less than 40% of whole woodland; poor: Evidence of significant browsing pressure is present in 40% or more of whole woodland). **C: Invasive plant species** (Good: No invasive species present in woodland; Moderate: *Rhododendron ponticum* or cherry laurel *Prunus laurocerasus* not present, and other invasive species <10% cover; Poor: *Rhododendron* or cherry laurel present, or other invasive species ≥10% cover. **D: Number of native tree species** (Good: Five or more native tree or shrub species found across the woodland parcel; Moderate: Three to four native tree or shrub species found across woodland parcel; Poor: Two or less native tree or shrub species across the woodland parcel); **E: Cover of native tree and shrub species** (Good: >80% of canopy trees and >80% of understory shrubs are native, Moderate: 50 - 80% of canopy trees and 50 - 80% of understory shrubs are native, Poor: <50% of canopy trees and <50% of understory shrubs are native); **F: Open space within woodland** (Good: 10 - 20% of woodland has areas of temporary open space, unless woodland is <10ha, in which case 0 - 20% temporary open space is permitted, Moderate: 21 - 40% of woodland has areas of temporary open space, Poor: <10% or >40% of woodland has areas of temporary open space, but if woodland <10ha has <10% temporary open space, please see Good category); **G: Woodland regeneration** (Good: All three classes present in woodland; trees 4 - 7 cm Diameter at Breast Height (DBH), saplings and seedlings or advanced coppice regrowth, Moderate: One or two classes only present in woodland, Poor: No classes or coppice regrowth present in woodland); **H: Tree health** (Good: Tree mortality less than 10%, no pests or diseases and no crown dieback, Moderate: 11% to 25% tree mortality and or crown dieback or low-risk pest or disease present, Poor: Greater than 25% tree mortality and or any high-risk pest or disease present); **I: Vegetation and ground flora** (Good: Recognisable NVC plant community¹⁰ at ground layer present, strongly characterised by ancient woodland flora specialists., Moderate: Recognisable woodland NVC plant community at ground layer present., Poor: No recognisable woodland NVC plant community at ground layer present); **J: Woodland vertical structure** (Good: Three or more storeys across all survey plots, or a complex woodland, Moderate: Two storeys across all survey plots, Poor: One or less storey across all survey plots); **K: Veteran trees** (Good: Two or more veteran trees per hectare, Moderate: One veteran tree per hectare, Poor: No veteran trees present in woodland); **L: Amount of deadwood** (Good: 50% of all survey plots within the woodland parcel have deadwood, such as standing deadwood, large dead branches and or stems, branch stubs and stumps, or an abundance of small cavities, Moderate:

Between 25% and 50% of all survey plots within the woodland parcel have deadwood, such as standing deadwood, large dead branches and or stems, stubs and stumps, or an abundance of small cavities, Poor: Less than 25% of all survey plots within the woodland parcel have deadwood, such as standing deadwood, large dead branches and or stems, stubs and stumps, or an abundance of small cavities); **M: Woodland disturbance** (Good: No nutrient enrichment or damaged ground evident, Moderate: Less than 1 hectare in total of nutrient enrichment across woodland area and or less than 20% of woodland area has damaged ground, Poor: More than 1 hectare of nutrient enrichment and or more than 20% of woodland area has damaged ground).

Table A5-5: Condition Assessment Information for Lines of Trees west of BESS

Habitat	Condition	Condition Assessment Criteria (see below)				
		A	B	C	D	E
Line of trees	Moderate	Yes	Yes	Yes	No	No

Condition Assessment Criteria: **A:** At least 70% of trees are native species; **B:** Tree canopy is predominantly continuous with gaps in canopy cover making up <10% of total area and no individual gap being >5 m wide; **C:** One or more trees has veteran features and or natural ecological niches for vertebrates and invertebrates, such as presence of standing and attached deadwood, cavities, ivy or loose bark; **D:** There is an undisturbed naturally-vegetated strip of at least 6 m on both sides to protect the line of trees from farming and other human activities (excluding grazing). Where veteran trees are present, root protection areas should follow standing advice; **E:** At least 95% of the trees are in a healthy condition (deadwood or veteran features valuable for wildlife are excluded from this). There is little or no evidence of an adverse impact on tree health by damage from livestock or wild animals, pests or diseases, or human activity.

Table A5-6: Condition Assessment Information for Scrub at Wymondley Substation

Habitat	Condition	Condition Assessment Criteria (see below)				
		A	B	C	D	E
Mixed scrub	Moderate	Yes	Yes	Yes	No	No

Condition Assessment Criteria: **A:** The parcel represents a good example of its habitat type - the appearance and composition of the vegetation closely matches its UKHab description (where in its natural range). At least 80% of scrub is native, there are at least three native woody species, and no single species comprises more than 75% of the cover (except hazel *Corylus avellana*, common juniper *Juniperus communis*, sea buckthorn *Hippophae rhamnoides* (only in its restricted native range), or box *Buxus sempervirens*, which can be up to 100% cover); **B:** Seedlings, saplings, young shrubs and mature (or ancient or veteran) shrubs are all present ; **C:** There is an absence of invasive non-native plant species (as listed on Schedule 9 of WCA) and species indicative of suboptimal condition make up less than 5% of ground cover; **D:** The scrub has a well-developed edge with scattered scrub and tall grassland and or forbs present between the scrub and adjacent habitat; **E:** There are clearings, glades or rides present within the scrub, providing sheltered edges.

Table A5-7: Condition Assessment Information for Urban habitat – existing access track at BESS

Habitat	Condition	Condition Assessment Criteria (see below)			
		A	B	C1	C2
Tall forbs	Poor	No	No	Yes	Yes

Condition Assessment Criteria: **A:** Vegetation structure is varied, providing opportunities for vertebrates and invertebrates to live, eat and breed. A single structural habitat component or vegetation type does not account for more than 80% of the total habitat area; **B:** The habitat parcel contains different plant species that are beneficial for wildlife, for example flowering species; **C1:** Invasive non-native plant species and others which are to the detriment of native wildlife cover less than 5% of the total vegetated area; **C2:** Complete absence of invasive non-native species (rather than <5% cover).

Table A5-8: Condition Assessment Information for Hedgerows adjacent to Blakemore End Road

Habitat	Condition	Condition Assessment Criteria (see below)									
		A1	A2	B1	B2	C1	C2	D1	D2	E1	E2
Species rich native hedgerow with trees	Good	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes

Condition Assessment Criteria: **A1:** Height > 1.5m average along length; **A2:** Width > 1.5m average along length; **B1:** Gap between ground and base of canopy <0.5 m for >90% of length; **B2:** Gaps make up <10% of total length; and no canopy gaps >5 m; **C1:** >1m width of undisturbed ground with perennial herbaceous vegetation for >90% of length; **C2:** Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground; **D1:** >90% of the hedgerow and undisturbed ground is free of invasive non-native plant species; **D2:** >90% of the hedgerow or undisturbed ground is free of damage caused by human activities; **E1:** There is more than one age-class (or morphology) of tree present (for example: young, mature, veteran and or ancient), and there is on average at least one mature, ancient or veteran tree present per 20 - 50m of hedgerow; **E2:** At least 95% of hedgerow trees are in a healthy condition (excluding veteran features valuable for wildlife). There is little or no evidence of an adverse impact on tree health by damage from livestock or wild animals, pests or diseases, or human activity.

Appendix 6: Proposed Condition Assessments of Created Habitats

Table A6-1: Condition Assessment Information for proposed Grassland (Moderate and High Distinctiveness) to enhance modified grassland to other neutral grassland.

Habitat	Condition	Condition Assessment Criteria (see below)					
		A	B	C	D	E	F
Other neutral grassland	Moderate	Yes	Yes	Yes	Yes	Yes	No

Condition Assessment Criteria: **A:** The grassland is a good representation of the habitat type it has been identified as, based on its UKHab description; **B:** Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm); **C:** Cover of bare ground is between 1% and 5%, including localised areas, for example, rabbit warrens; **D:** Cover of bracken *Pteridium aquilinum* is less than 20% and cover of scrub (including bramble *Rubus fruticosus* agg.) is less than 5%; **E:** Combined cover of species indicative of sub-optimal condition and physical damage accounts for less than 5% of total area; **F:** There are 10 or more vascular plant species per m² present that are characteristic of the habitat type (non-acid grasslands only).

Table A6-2: Condition Assessment Information for Urban to create wetland habitat around the proposed bioswale

Habitat	Condition	Condition Assessment Criteria (see below)					
		A	B	C1	C2	E1	E2
Bioswale	Good (but Moderate used in calculation on a precautionary basis)	Yes	Yes	Yes	Yes	Yes	Yes

Condition Assessment Criteria: **A:** Vegetation structure is varied, providing opportunities for vertebrates and invertebrates to live, eat and breed. A single structural habitat component or vegetation type does not account for more than 80% of the total habitat area; **B:** The habitat parcel contains different plant species that are beneficial for wildlife, for example flowering species; **C1:** Invasive non-native plant species and others which are to the detriment of native wildlife cover less than 5% of the total vegetated area; **C2:** Complete absence of invasive non-native species (rather than <5% cover); **E1:** Plant species are mostly native. If non-native species are present, they should not be detrimental to the habitat or native wildlife (Bioswale & SuDS only); **E2:** The vegetation is comprised of plant species suited to wetland or riparian situations (Bioswale & SuDS only).

Table A6-3: Condition Assessment Information for Hedgerows created at the BESS

Habitat	Condition	Condition Assessment Criteria (see below)									
		A1	A2	B1	B2	C1	C2	D1	D2	E1	E2
Native hedgerow	Good (Moderate on a precautionary basis)	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes

Condition Assessment Criteria: **A1:** Height > 1.5m average along length; **A2:** Width > 1.5m average along length; **B1:** Gap between ground and base of canopy <0.5 m for >90% of length; **B2:** Gaps make up <10% of total length; and no canopy gaps >5 m; **C1:** >1m width of undisturbed ground with perennial herbaceous vegetation for >90% of length; **C2:** Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground; **D1:** >90% of the hedgerow and undisturbed ground is free of invasive non-native plant species; **D2:** >90% of the hedgerow or undisturbed ground is free of damage caused by human activities; **E1:** There is more than one age-class (or morphology) of tree present (for example: young, mature, veteran and or ancient), and there is on average at least one mature, ancient or veteran tree present per 20 - 50m of hedgerow; **E2:** At least 95% of hedgerow trees are in a healthy condition (excluding veteran features valuable for wildlife). There is little or no evidence of an adverse impact on tree health by damage from livestock or wild animals, pests or diseases, or human activity.

Table A5-4: Condition Assessment Information for Scrub to be created at the BESS

Habitat	Condition	Condition Assessment Criteria (see below)				
		A	B	C	D	E
Mixed scrub	Moderate	Yes	Yes	Yes	No	No

Condition Assessment Criteria: **A:** The parcel represents a good example of its habitat type - the appearance and composition of the vegetation closely matches its UKHab description (where in its natural range). At least 80% of scrub is native, there are at least three native woody species, and no single species comprises more than 75% of the cover (except hazel *Corylus avellana*, common juniper *Juniperus communis*, sea buckthorn *Hippophae rhamnoides* (only in its restricted native range), or box *Buxus sempervirens*, which can be up to 100% cover); **B:** Seedlings, saplings, young shrubs and mature (or ancient or veteran) shrubs are all present; **C:** There is an absence of invasive non-native plant species (as listed on Schedule 9 of WCA) and species indicative of suboptimal condition make up less than 5% of ground cover; **D:** The scrub has a well-developed edge with scattered scrub and tall grassland and or forbs present between the scrub and adjacent habitat; **E:** There are clearings, glades or rides present within the scrub, providing sheltered edges.

Table A6-3: Condition Assessment Information for Individual trees

Habitat	Condition	Condition Assessment Criteria (see below)					
		A	B	C	D	E	F
Individual trees	Moderate (Poor on a precautionary basis)	Yes	Yes	Yes	Yes	No	Yes

Condition Assessment Criteria: **A1:** The tree is a native species (or at least 70% within the block are native species); **B:** The tree canopy is predominantly continuous, with gaps in canopy cover making up <10% of total area and no individual gap being >5 m wide (individual trees automatically pass this criterion); **C:** The tree is mature (or more than 50% within the block are mature); **D:** There is little or no evidence of an adverse impact on tree health by human activities (such as vandalism, herbicide or detrimental agricultural activity). And there is no current regular pruning regime, so the trees retain >75% of expected canopy for their age range and height; **E:** Natural ecological niches for vertebrates and invertebrates are present, such as presence of deadwood, cavities, ivy or loose bark; **F:** More than 20% of the tree canopy area is oversailing vegetation beneath.

Appendix 7: Species List for Other Neutral Grassland

Table A7-1: Quadrat data for the Other Neutral Grassland on Site

Scientific Name	Common Name	Q1	Q2	Q3	DAFOR
<i>Achillea millefolium</i>	Yarrow	Y			A
<i>Dipsacus fullonum</i>	Teasel		Y	Y	A
<i>Holcus lanatus</i>	Yorkshire fog	Y	Y	Y	A
<i>Lotus corniculatus</i>	Bird's-foot trefoil				A
<i>Potentilla reptans</i>	Creeping cinquefoil	Y	Y	Y	A
<i>Ranunculus acris</i>	Meadow buttercup				A
<i>Arrhenatherum elatius</i>	False oat-grass	Y			F
<i>Rubus fruticosus</i> agg.	Bramble	Y			F
<i>Festuca rubra</i>	Red fescue				F
<i>Veronica chamaedrys</i>	Germander speedwell				F
<i>Bellis perennis</i>	Common daisy		Y	Y	O
<i>Cirsium vulgare</i>	Spear thistle*				O
<i>Dactylis glomerata</i>	Cock's-foot	Y			O
<i>Helminthotheca echinoides</i>	Bristly ox-tongue				O
<i>Hypericum perforatum</i>	Perforate St John's wort		Y	Y	O
<i>Lamium purpureum</i>	Red dead-nettle		Y	Y	O
<i>Myosotis arvensis</i>	Field forget-me-not		Y		O
<i>Plantago lanceolata</i>	Ribwort plantain			Y	O
<i>Primula veris</i>	Cowslip		Y	Y	O
<i>Ranunculus repens</i>	Creeping buttercup*	Y			O
<i>Trifolium repens</i>	White clover*				O
<i>Anacamptis pyramidalis</i>	Pyramidal orchid				R
<i>Cerastium fontanum</i>	Common mouse-ear	Y			R
<i>Crataegus monogyna</i>	Hawthorn		Y		R
<i>Galium aparine</i>	Cleavers		Y		R
<i>Geranium dissectum</i>	Cut-leaved crane's-bill	Y			R
<i>Trifolium campestre</i>	Hop-trefoil	Y	Y	Y	R
Total		10	11	9	
Average		10			

* These species cannot contribute to criteria F of the condition assessment.