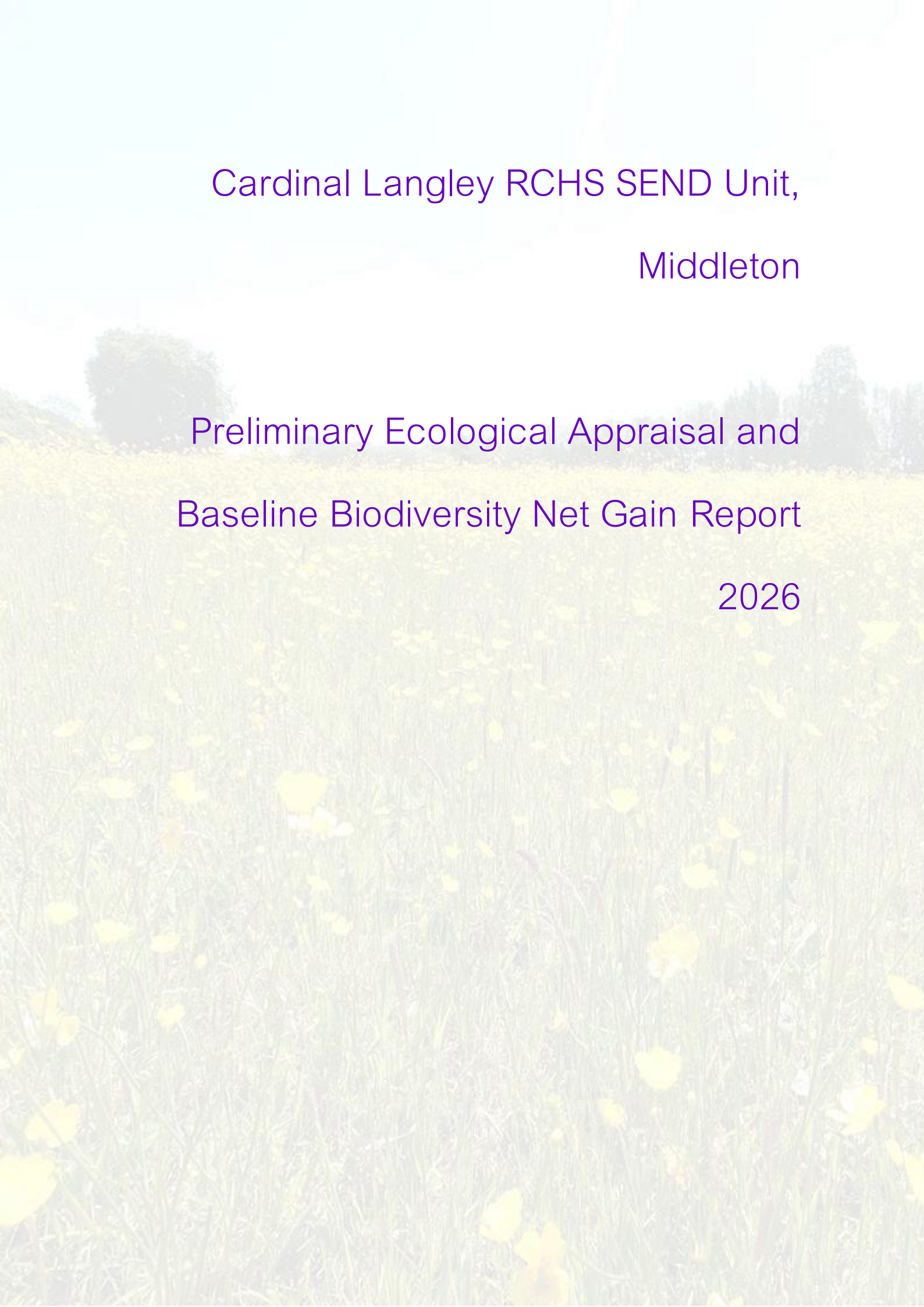




Cardinal Langley RCHS SEND Unit,

Middleton

Preliminary Ecological Appraisal and
Baseline Biodiversity Net Gain Report

2026

Client	Lancaster Maloney Martin Ltd
Project Title	Cardinal Langley RCHS SEND Unit, Middleton
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Executive Summary

Development Details

The client is proposing the construction of a new building and the extension of an existing building at Cardinal Langley Roman Catholic High School, Middleton, hereafter referred to as the 'site'.

This report describes the ecological features of the site and its surroundings and assesses the potential impacts of the development on the ecological interest. Recommendations are provided so that the development is compliant with biodiversity policy and legislation.

Ecological Interest

The site is primarily developed land and has a low level of ecological interest. Recommendations are provided so that the development is compliant with biodiversity policy and legislation.

Biodiversity Impact Assessment

Baseline habitats score 0.57 habitat units; there are no hedgerows or watercourses on site. The proposed development will achieve 0.09 habitat units through a combination of on-site and off-site habitat creation. The combined net unit change is currently assessed as a net loss of -0.34 biodiversity units, equivalent to -60.84%, therefore further offsetting will be required in order to meet a 10% net gain.

Outcomes

To compensate for biodiversity loss and comply with current BNG legislation requiring a mandatory 10% net gain in biodiversity, it will be necessary to purchase biodiversity units from a third party, i.e. via an external biodiversity offset.

No further surveys are required.

Mitigation measures and enhancement opportunities are identified within this report.



1. Introduction

1.1 Project Brief

- 1.1.1 Rachel Hacking Ecology Limited (RHE) was commissioned in 2025 by Lancaster Maloney Martin Ltd (the Client) to carry out an Ecological Appraisal and Biodiversity Net Gain Assessment of land at Cardinal Langley Roman Catholic High School, Middleton (the 'site'). The site is located at O.S. grid reference: SD 87974 07537 (see Figure 1).



Figure 1. Map showing the location of the site © Bing Maps

- 1.1.2 The proposed development site comprises a complex of buildings currently used as a high school, with associated habitats comprising modified grassland, tarmac hardstanding, individual trees, introduced shrub and buildings.
- 1.1.3 The land beyond the site comprises a main road and residential area to the north-west of the site, and unmanaged scrub to the south of the site.

Description of Development

- 1.1.4 The proposed developments comprise the construction of a new Special Educational Needs and Disabilities (SEND) unit on existing hardstanding at the site; minor works to the roof of the main building will be undertaken to construct an access corridor between the new building and existing building.
- 1.1.5 A small portion of modified grassland and three individual trees will be removed to accommodate replacement parking spaces.

Relevant Planning History

- 1.1.6 No previous surveys have been undertaken at the site.

1.2 Scope of Work

- 1.2.1 The Client commissioned RHE to carry out the following works:
- Desk-based study to obtain details of designated sites, protected and notable species within a specified search area.
 - Record the extent, type, and condition of habitats within the site boundary.
 - Calculate the baseline and post-development biodiversity units.
 - Search for signs of protected species and assessment of the potential of habitats and features to support protected and notable species.

1.3 Site Visit Information

Surveyor Details

- 1.3.1 Jasmin West (Ecologist) visited the site on the 19th February 2026. Jasmin has 2 years' experience in undertaking Preliminary Ecological Appraisals and Preliminary Roost Assessments.

Weather

- 1.3.2 The weather at the time of the survey was cold and overcast, with an average temperature of 5°C.



2. Methods

2.1 Desk Study

- 2.1.1 MAGIC (Multi-Agency Geographical Information for the Countryside) was interrogated for the presence of Statutory Designated Sites and European Protected Species licences within a 1km radius of the site.
- 2.1.2 The site was checked to determine if it is located within an Impact Risk Zones for any Site of Special Scientific Interest (SSSI) and if so, whether the Local Planning Authority will need to consult Natural England.
- 2.1.3 The Environment Record Network (Greater Manchester Local Records Centre) was contacted to provide details of non-statutory designated sites and records of protected and notable species within a 1km radius of the site.

2.2 Field Survey

Habitat Survey

- 2.2.1 The site was walked over and the habitats and features of ecological interest were mapped and described according to the UK Habitat Classification system¹. Habitats and features of particular interest were target noted.

Species Assessment

- 2.2.2 During the walkover habitat and features were assessed for their suitability to support protected and notable species in accordance with CIEEM guidelines². Field signs of protected, notable, and invasive non-native species, if encountered, were mapped, and described.

Badger

- 2.2.3 The site and accessible habitat within 30m was searched for evidence of Badger activity. This included looking for setts, old bedding, latrines, stray hairs attached to fences or hairs within bedding, scratch marks on posts/tree trunks, tracks and paw prints, snuffle holes and other foraging remains.

Bats

- 2.2.4 The exterior of the site was surveyed from the ground using binoculars and a high-powered torch. Features offering potential access to roosting bats were recorded. Such features may include suitable gaps in roof coverings, gaps behind external cladding/facia and gaps in masonry.

¹ UKHab-v2.01-July-2023-Final-2.pdf. at <http://UKHab.org>

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

- 2.2.5 Evidence indicating the presence of roosting bats was also searched for. This may include bat droppings on walls, windows or on the ground below roost entrances or staining from fur oil around roost entry points.
- 2.2.6 The interior of the site, including the roof void, was surveyed to identify any evidence indicating use by roosting bats. Such evidence may include bat droppings, feeding remains, urine splashes, live or dead bats and staining from fur oil on timbers.
- 2.2.7 Any trees on the site that are to be affected by the proposals were given a ground-level assessment, searching for Potential Roosting Features (PRF's), such as flaking bark, woodpecker holes, knot holes and limb splits.

2.3 Biodiversity Net Gain

- 2.3.1 During the site walkover the ecological condition of each habitat was assessed in accordance with the Defra (2025) guidelines³.
- 2.3.2 Habitat data including type, area (or length), condition and strategic location were uploaded to the Defra Statutory Biodiversity Metric Calculator spreadsheet to determine the baseline value of the site. The extent of any habitats to be retained or enhanced was also entered into baseline worksheets.
- 2.3.3 The post-development masterplan was interrogated to determine areas of hard standing, buildings, and associated infrastructure. New, retained and enhanced habitats were classified and allocated a target condition, based on habitat type, location and management input. This information was uploaded to the metric spreadsheet to obtain a post-development value.
- 2.3.4 The pre- and post-development values were compared to determine whether the yield of biodiversity units achieved a deficit or gain.
- 2.3.5 Strategic Significance was assessed using the Greater Manchester Nature Recovery Strategy⁴

2.4 Mitigation Hierarchy

- 2.4.1 Mitigation measures should be embedded within the masterplan design and planning application process. Measures during the construction phases should be included in a Construction Environmental Management Plan: Biodiversity (CEMP). This process from proposal to implementation needs to consider the 'mitigation hierarchy' of avoid, reduce, compensate, and enhance:
 - Aim to avoid negative effects through the design process.
 - Mitigate if negative effects cannot be avoided.
 - Use compensation measures to offset residual impacts.

³ The_Statutory_Biodiversity_Metric_-_User_Guide_.pdf (publishing.service.gov.uk)

⁴ [GM Nature Network - Greater Manchester Combined Authority](#)

- Identify and implement opportunities to enhance biodiversity.



3. Results

3.1 Survey Constraints

- 3.1.1 No constraints affected the survey; a high degree of confidence is placed on the results of the survey.
- 3.1.2 The habitat survey was undertaken outside of the optimal window for botanical surveys. This is not considered to be a significant constraint due to the habitats on site being common and widespread, and of low ecological importance.

3.2 Designated Sites

- 3.2.1 The desk study provided information on the statutory and non-statutory designated sites, these are listed below in Table 2.

<i>Table 2. Designated Sites</i>			
Name	Status	Location/distance (approximate)	Interest
Hopwood Clough	SBI	130m west	Habitats and species of local importance.
Hopwood Ponds	LNR	130m west	Habitats and species of local importance
Higher Boarshaw Clough	SBI	200m south-west	Habitats and species of local importance.
Rochdale Canal	SSSI, SAC, SBI	250m south-west	Important habitats for submerged aquatic plants and emergent vegetation.
Lords Wood	SBI	650m	Habitats and species of local importance
Scowcroft Reservoir	SBI	800m south	Habitats and species of local importance
Glade & Oaken Bank Woods	SBI	850m north-west	Habitats and species of local importance.

- 3.2.2 The desk study identified that the site was located within the Impact Risk Zones of nine Sites of Special Scientific Interest. The proposed development will not require the Local Planning Authority to consult with Natural England due to the absence of clear impact pathways.

3.3 Habitats

- 3.3.1 Target Notes and photographs are contained in Appendix 2 and the habitats survey plan is contained in Appendix 3. Condition Assessments are supplied as a separate spreadsheet. Species abundance, if included, follows the DAFOR system (Dominant, Abundant, Frequent, Occasional, Rare, Locally Dominant, Locally Abundant and Locally Frequent) and is provided in brackets after each species.

Modified Grassland

- 3.3.2 Several small lawns of modified grassland exist across the site, notably at the northern and eastern site boundaries. The lawns are heavily managed and species poor, with a species assemblage dominated by Perennial Rye-grass *Lolium perenne*, White Clover *Trifolium Repens* and Common Daisy *Bellis perennis*.

Individual Trees

- 3.3.3 Individual trees are scattered across the site, with species including Silver Birch *Betula pendula* and Alder *Alnus glutinosa*. The trees range in sizes from small to large and are in varying conditions ranging from poor to moderate.

Ornamental Hedgerow

- 3.3.4 Short ornamental hedgerows exist at the north of the site bordering pedestrian walkways and lawns of modified grassland; species composition includes Box Honeysuckle *Lonicera nitida* and Wall Cotoneaster.

Developed Land; Sealed Surface

- 3.3.5 The majority of the site area is accounted for by tarmac hardstanding and building footprints, categorised as Developed Land; Sealed Surface.

3.4 Species

Badger

- 3.4.1 The desk study returned several records of Badger *Meles meles* within the search radius.
- 3.4.2 No field signs of Badger were identified during the survey. The site offers very limited foraging and commuting habitat in the form of modified grassland, and there is no suitable sett building habitat.

Bats

- 3.4.3 The desk study returned over six recent records of bat roosts in the search radius, three Brown Long-eared *Plecotus auritus* roosts and three Common Pipistrelle *Pipistrellus pipistrellus* roosts. The closest record occurs approximately 500m south-west of the site.
- 3.4.4 No individual trees on site were identified as having Potential Roosting Features (PRF's). Opportunities for roosting bats within buildings are discussed further in Section 3.6.

Hedgehog

- 3.4.5 Eight recent records of Hedgehog *Erinaceus europaeus* were returned by the desk study.
- 3.4.6 The habitats on site provide suitable albeit limited foraging and commuting habitat for Hedgehog.

Birds

- 3.4.7 Extensive records were returned in the desk study for birds, notable species include Lapwing *Vanellus vanellus* occurring 250m west of the site, Curlew *Numenius Arquata* occurring 900m north-west of the site and Bullfinch *Pyrrhula pyrrhula* occurring 70m south of the site.
- 3.4.8 The site offers a limited variety of suitable nesting habitats for birds within individual trees, ornamental hedgerows and introduced shrub habitats on site.

Reptiles

- 3.4.9 No recent records of reptiles were identified within the desk study.
- 3.4.10 The habitats on site are sub-optimal for reptiles as they lack structural diversity and are dominated by modified grassland with few sheltering or basking opportunities or hibernacula. It is unlikely that reptiles are present on site and are not considered further in this report.

Great Crested Newt

- 3.4.11 A small number of records for Great Crested Newt *Triturus cristatus* were returned, with the closest occurring in an off-site pond approximately 550m north-west of the site.
- 3.4.12 No waterbodies exist on site, the site lacks suitable foraging and commuting features, in addition to the absence of hibernacula.
- 3.4.13 Major barriers to dispersal exist between the pond and the site, it is reasonably unlikely that populations within the existing offsite pond would disperse onto the site. This species is therefore not considered further in this report.

Invertebrates

- 3.4.14 One recent record of White-Letter Hairstreak Butterfly was returned by the data search, occurring approximately 600m south-east of the site.
- 3.4.15 The habitats on site are unlikely to support important assemblages of invertebrates due to the lack of structural diversity and the absence of important ecological features such as deadwood.

3.5 Invasive Species

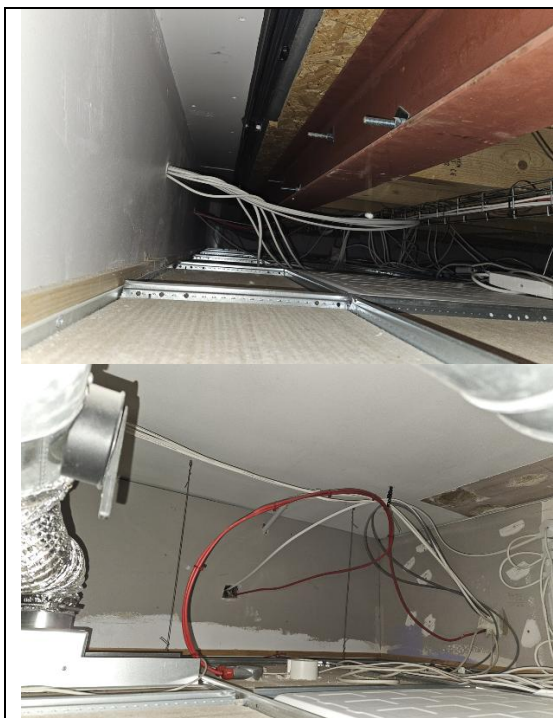
Plants

- 3.5.1 Several introduced shrub beds on site contain Wall Cotoneaster *Cotoneaster horizontalis* (TN1). Rhododendron *Rhododendron ponticum* was also found within the shrub beds on site (TN2). Both species are listed on Schedule 9 of the Wildlife and Countryside Act (1981).

3.6 Preliminary Roost Assessment

- 3.6.1 Minor works to the north-facing single-storey extension are proposed to connect the existing and proposed buildings.
- 3.6.2 A preliminary roost assessment was carried out on the unit that will be affected by the proposed development plans.

Table 3. The results of the preliminary roost assessment.	
	Building 1 (B1) is a single storey extension at the northern side of the main building. It comprises a rendered breezeblock structure with a flat roof. Windows are fitted in PVC frames and are flush with the brickwork of the building. Security lights exist at regular intervals along the building indicating the surrounding is likely well-lit at night.
	The roof edges and gable ends are capped with metal sheeting. All roofing materials are well sealed, presenting no gaps or cracks. All rendering is intact and exhibits no cracks or holes.
	



The roof void of the building exists above a suspended ceiling; no insulation or roof lining is present within the roof void.

The void is lined with plasterboard and houses wiring and ventilation pipes. Steel beams and wooden rafters support the roof; the wooden rafters appear to be new and exhibit no splits or cracks.

No evidence of roosting bats was identified within B1.

Roosting Potential: Negligible

4. Assessment

4.1 Development Context

- 4.1.1 The following assessment assumes that a small area of modified grassland and six trees will be removed to accommodate the construction of a new SEND unit at the site.

4.2 Impacts on Designated Sites

- 4.2.1 No impacts to any statutory or non-statutory designated sites are anticipated due to the absence of impact pathways.

4.3 Impacts on Habitats

The habitats on site are common and widespread, and their loss will only be significant at the site level.

4.4 Biodiversity Net Gain

- 4.4.1 The development will be subject to the standard Biodiversity Net Gain conditions, stating that a 10% net gain in habitat units is mandatory for new developments over 25m².
- 4.4.2 No irreplaceable habitats exist on site, the site has not been subject to habitat degradation. A full BNG metric spreadsheet is provided as a separate document.

Baseline Habitats

<i>Table 4. Baseline habitat assessment.</i>			
Habitat	Area (Ha)	Condition	Score (Biodiversity Units)
Modified Grassland	0.064	Poor	0.13
Introduced Shrub	0.0154	N/A	0.03
Urban Tree	0.0204	Good	0.24
Urban Tree	0.0204	Moderate	0.16
Developed Land; Sealed Surface	0.0992	N/A	0.00
Total	0.18 (excluding Urban trees)	-	0.57

Post-Development Habitats

Table 5. Post-development habitat assessment.			
Habitat	Area (Ha)	Condition	Score (Biodiversity Units)
Modified Grassland (Retained)	0.0425	Poor	0.09
Developed Land; Sealed Surface (Creation)	0.0346	N/A	0
Total	0.0771		0.09

Off-site Baseline Habitats

Table 6. Off-site baseline habitat assessment.			
Habitat	Area (Ha)	Condition	Score (Biodiversity Units)
Modified Grassland	0.1	Poor	0.20
Total	0.1		0.20

Off-site Post-Development Habitats

Table 6. Off-site post-development habitat assessment.			
Habitat	Area (Ha)	Condition	Score (Biodiversity Units)
Modified Grassland (Retention)	0.1	Poor	0.20
Individual Tree (12 Small) (Creation)	0.0489	Poor	0.14
Total	0.1489		0.34

- 4.4.3 The overall change in habitat units is (-0.34) habitat units. The proposed development does not satisfy the habitat trading rules.
- 4.4.4 A minimum of 0.40 habitat units will be required to meet the required 10% Biodiversity Net Gain. This can be achieved by habitat enhancements, creation of new habitats or offsetting via a 3rd party provider.

4.5 Impacts on Species

Badger, Hedgehog & Other Small Mammals

- 4.5.1 No badger setts will be impacted by the proposals. However, badgers are highly mobile and may forage within the site.
- 4.5.2 There is a risk of incidental harm through entrapment and contact with hazardous machinery and harmful substances should Badgers, Hedgehog or other small mammals access a construction site.

Bats

- 4.5.3 No impacts to bats are likely to occur as a result of the proposed development plans.
- 4.5.4 Additional lighting associated with the proposed development is unlikely to cause further disturbance to foraging bats, given the site is already well lit.



Nesting Birds

- 4.5.5 Impacts on nesting birds would mainly be associated with habitat clearance and loss resulting in localised displacement. The clearance of the individual trees on site has the potential to cause disturbance or harm to nesting birds, should they be present.

4.6 Invasive Species

Plants

- 4.6.1 Wall Cotoneaster and Rhododendron are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), making it an offence to plant or otherwise cause to grow in the wild.
- 4.6.2 Wall Cotoneaster and Rhododendron could potentially be spread during construction via contaminated equipment and disturbance of soil containing seeds. Seeds can also be spread by plant machinery travelling between sites. Mitigation is therefore required (see Section 5).

5. Recommendations

5.1 Further Surveys

Badger

- 5.1.1 No further surveys are required at the site.
- 5.1.2 Reasonable avoidance measures should be adopted through the construction period. Such measures should be included in a Precautionary Working Method Statement (PWMS) or within a Biodiversity Construction Environmental Management Plan (BCEMP), secured by a planning condition.

Bats

- 5.1.3 No further surveys will be required.

5.2 Mitigation and Enhancement Measures

- 5.2.1 Protection of ecological features (habitats and species) during the construction phase and avoidance of risk to the Rochdale Canal SSSI will be described in a Construction Environmental Management Plan (CEMP). Mitigation measures to protect, maintain and enhance ecological features during the operational phase of development will be described in a Habitat Management and Monitoring Plan (HMMP). Management Plans will contain Operational Aims and Objectives, Rationale for management, Prescriptions and schedules detailing the timing and responsibility for delivering the prescriptions. It is anticipated that the CEMP and HMMP will be provided as a planning condition in advance of the commencement of the proposed development.

Habitats

- 5.2.2 Retained habitats (individual trees, hedgerows, introduced shrub & modified grassland) will need to be isolated and protected during the construction phase.

Badger, Hedgehog & Other Small Mammals

- 5.2.3 To ensure that Badger and any other mammals are not incidentally trapped or harmed during the construction work, smaller excavations should be covered overnight. Larger excavations, if left overnight or for longer periods, should be ramped to enable animals to escape.

Nesting Birds

- 5.2.4 Impacts on nesting birds should be avoided by carrying out site clearance and similar operations outside of the bird breeding season (March- August). Construction activities that might directly impact upon breeding birds should hence be limited to the September-February period. If vegetation has to be cleared during the bird breeding season checks immediately before clearance by a suitably

qualified ecologist will be required. If nesting activity is detected work in that area will need to stop until the ecologist considers that nesting activity is finished.

Invasive Species

- 5.2.5 Under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), Wall Cotoneaster and Rhododendron are listed as an invasive non-native species. While it is not an offence to have the plant growing on your land, it is an offence to plant it or otherwise cause it to spread in the wild. Appropriate biosecurity measures will therefore be required during the development to ensure that construction activities do not inadvertently result in the further spread of this species.

Enhancement Opportunities

- 5.2.6 Bat bricks or boxes could be incorporated into new buildings on site to enhance roosting opportunities.
- 5.2.7 There is an opportunity to enhance the site for nesting birds by providing opportunities for declining species such as Starling *Sturnus vulgaris* and House Sparrow *Passer domesticus*, via incorporation of species-specific nesting boxes.

Appendix 1: Planning Policy & Legislation

National Policy

The National Planning Policy Framework (NPPF 2025) describes the Government's planning policy for England and how it should be applied. Within this framework, the requirements in relation to biodiversity are included within several policies. The two most relevant to individual planning decisions are Paragraphs 187, 192 and 193, shown below:

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

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

Legislation

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) includes the notification and confirmation of Sites of Special Scientific Interest (SSSIs). SSSIs can be notified for their floral, faunal, geological, or physiographical features. Protection against damaging operations and management of SSSIs is also included within the Act. Impact Risk Zones (IRZs) are zones around an SSSI account for the particular sensitivities of the features for which it is notified and identify development proposals which could have adverse impacts.

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) protects native animals, plants and habitats. Under the Act it is an offence to intentionally kill, injure or take any wild animal listed on Schedule 5 and it is an offence to interfere with places used for shelter or protection, or intentionally disturb animals occupying such places. The Act prohibits picking, uprooting or destroying any wild plant (or any attached seed or spore) listed in Schedule 8.

European Protected Species (EPS) such as bats, Hazel Dormouse, Otter, Natterjack Toad, Smooth Snake, Sand Lizard and Great Crested Newt are protected by the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) and the Conservation of Habitats and Species Regulations 2017. The Acts make it an offence to:



- a) Deliberately capture, injure or kill an EPS;
- b) Deliberately impair an EPS's ability to survive, breed, reproduce, rear or nurture young; to hibernate or migrate; or significantly affect the local distribution or abundance of the EPS.
- c) Possess or control live or dead EPS or any part of, or anything derived from a EPS;
- d) Damage or destroy a breeding site or resting place of an EPS;
- e) Intentionally or recklessly obstruct access to any place that is used for shelter or protection by an EPS;
- f) Intentionally or recklessly disturb a structure or place that it uses for shelter or protection that is occupied by an EPS.

All common herptiles are protected under the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000). Grass Snake, Slow Worm, Common Lizard, Adder are protected against intentional killing or injury. Common Frog, Common Toad, Smooth Newt and Palmate Newt is protected against sale. In addition, all British reptiles, Common toad and Great Crested Newt are listed as Species of Principal Importance.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). It is 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. It is an offence to intentionally or recklessly disturb a species listed on Schedule 1 of the Act while they are nest building or at or near a nest with eggs or young, or to disturb the dependent young.

The Protection of Badgers Act 1992 makes it an offence to wilfully, or to attempt to kill, injure, take, possess or cruelly ill-treat a Badger, or intentionally or recklessly interfere with a sett. Interference of a sett includes disturbing Badgers during occupation of a sett, or damaging or destroying a sett, or obstructing access to the sett.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty on every public authority to have regard to conserving biodiversity. Section 41 of the same Act requires the Secretary of State to publish a list of the living organisms and types of habitats that are of 'Principal Importance' for the purpose of conserving biodiversity. The Secretary of State must take steps, as appear reasonably practicable, to further the conservation of those living organisms and habitats in any list published under this section. The list of species and habitats of principal importance currently includes 943 species and 56 habitats. These are the species and habitats found in England which are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework

The Hedgerows Regulations 1997 protect 'important' hedgerows from destruction or damage. A hedgerow is 'important' if it (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy 'important' hedgerows unless permitted by the local planning authority.

The Environment Act 2021 makes it mandatory for housing and development, subject to some narrow exemptions, to achieve at least a 10% net gain in value for biodiversity – a requirement that habitats for wildlife must be left in a measurably better state than before the development. Developers must submit a 'biodiversity gain plan' alongside usual planning application documents. The local authority must assess whether the 10% net gain requirement is met in order to approve the biodiversity gain plan.

The Environment Act 2021 strengthens the duty on public authorities (NERC Act, 2006) to have regard to the conservation of biodiversity.

The Environment Act 2021 amends the Wildlife and Countryside Act 1981 to introduce an additional purpose for granting a protected species licence in relation to development, 'for reasons of overriding public interest', and two additional tests for the granting of such licences: that there is 'no other satisfactory solution' and that granting the licence is 'not detrimental to the survival of any the population of the species concerned'. These changes will reduce the scope for unlicensed activities to provide clear safeguards before licences can be granted, providing legal certainty and clarity to developers about their environmental obligations.

Appendix 3: Target Notes

Reference No.	Habitat	Photograph
1	Modified Grassland	 A photograph showing a grassy area with a wooden planter box and a small tree. In the background, there are residential buildings and a road.
2	Individual Trees	 A photograph of two large, bare trees in a park-like setting. The ground is paved, and there are some blue bins in the background.
3	Introduced Shrub	 A photograph of a large, dense shrub next to a paved area. A building with large windows is visible in the background.
4	Ornamental Hedgerow	 A photograph of a grassy area with a metal railing and a hedge. A paved path leads up to the hedge.

5	Invasive Non-Native Species: Rhodoendron	
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Appendix 4: Habitat Map



UK Habitat Map

Key

-  Developed Land; Sealed Surface
-  Invasive Non-Native Species
-  Individual Tree
-  Modified Grassland
-  Introduced Shrub
-  Red Line Boundary

Cardinal Langley RCHS SEND Unit, Middleton

Lancaster Maloney Martin

Project Reference: RHE.4723

Drawn By: JW

Date: 27/03/2026

0 7.5 15 m



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