

Sikh Temple, 30a Cumberland Road, Reading, Berkshire, RG1 3LB.



Preliminary Ecological Assessment & Biodiversity Net Gain Plan

JW Biodiversity Management
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Executive Summary

JW Biodiversity Management has been commissioned to carry out a Preliminary Ecological Appraisal (PEA) and a Biodiversity Net Gain Assessment (BNG) of a Sikh Temple in Reading. This report will provide a baseline assessment of the site reporting on the current conditions of the habitats present within the Biodiversity Net Gain Metric.

Site Description

The site (red line figure 1) is in East Reading in Berkshire. The site is almost entirely occupied by the temple building. This was a 2-3 storey building mostly constructed of brick walls with a pitched tiled roof. The front of the building, along Cumberland Road, has a large square facade of rendered brick and brick columns. The site is located in an urban area being surrounded by residential buildings.

The local landscape is dominated by the urban sprawl of reading consisting mostly of residential properties around the site. The river Kennet is located within 400m to the north of the site and there is a large cemetery, containing woodland located within 200m to the southeast of the site.

The site (as shown on figure 1) is located in Reading; SU73127331.

Protected and Notable Species

Following the site visit and desktop assessment the site was assessed for its potential to support protected and notable species. The table below summarises the sites potential to support these species.

Species	Sites potential to support
Bat roost buildings	Negligible
Bat foraging/ commuting areas	Negligible
Badgers	Negligible
Dormice	Negligible
Small mammals	Negligible
Reptiles	Negligible
Amphibians	Negligible
Breeding birds	Low
Invertebrates	Negligible

BNG Results

The table below provides a summary of the results of the Biodiversity Net Gain Assessment. The proposed enhancements will add 0.04 habitat units and 0.03 hedgerow units to the site.

FINAL RESULTS			
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Habitat units</i>	0.04	
	<i>Hedgerow units</i>	0.03	
	<i>Watercourse units</i>	0.00	
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Habitat units</i>	N/A	0 baseline units - % cannot be calculated
	<i>Hedgerow units</i>	N/A	0 baseline units - % cannot be calculated
	<i>Watercourse units</i>	0.00%	
Trading rules satisfied?	Yes ✓		

Recommendations

A Biodiversity Net Gain assessment has been conducted by a competent ecologist and recommendations have been made to ensure the projects achieves a net gain. This is inline with local and national planning policies. Recommendations have also been made in relation to protected and notable species.

Recommendation	Action	Justification
Protection of breeding birds*	Carry out building demolition outside of breeding bird season or under supervision of ecologist following a breeding bird survey	The buildings are likely providing several opportunities for breeding birds.
Appropriate lighting for bats*	Avoid illuminating bat foraging and commuting habitat- woodland/ scattered trees. During and post development.	This will help limit disturbance to bat species in the longer term.
Adequate pollution control	Habitats on site should be adequately protected to ensure no polluted runoff in on site or adjacent land. All oils, fuels and chemicals should be adequately stored on site in bunded contains with appropriate spill kits and emergency procedures in place.	This will protect habitats on site and those in the nearby landscape.
Inclusion of bird and bat boxes in the development/ landscaping	Place boxes in suitable locations within the landscaping.	This would benefit local bird and bat populations on the site and within the local area.
Develop detailed planting plan.	Develop detailed planting plan as per BNG assessment.	This will provide a greater longer-term benefit for wildlife and ensure the project achieves the required net gain.

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1. Introduction

JW Biodiversity Management has been commissioned to carry out a Preliminary Ecological Appraisal (PEA) and a Biodiversity Net Gain Assessment (BNG) of a Sikh Temple in Reading. This report will provide a baseline assessment of the site reporting on the current conditions of the habitats present within the Biodiversity Net Gain Metric.

1.1 Development outline

JW Biodiversity Management Ltd understands that the development will involve the demolition of the existing buildings on site and development of two separate three-storey buildings with associated landscaping.

1.2 Site Description

The site (red line figure 1) is in East Reading in Berkshire. The site is almost entirely occupied by the temple building. This was a 2-3 storey building mostly constructed of brick walls with a pitched tiled roof. The front of the building, along Cumberland Road, has a large square facade of rendered brick and brick columns. The site is located in an urban area being surrounded by residential buildings.

The local landscape is dominated by the urban sprawl of Reading consisting mostly of residential properties around the site. The river Kennet is located within 400m to the north of the site and there is a large cemetery, containing woodland located within 200m to the southeast of the site.

The site (as shown on figure 1) is located in Reading; SU73127331.

1.3 Aims of Report

The aim of this PEA is to:

- Identify the likely ecological constraints associated with a project;
- Identify any mitigation measures likely to be required, following the 'Mitigation Hierarchy'
- Identify any additional surveys that may be required to inform an Ecological Impact Assessment (EcIA); and
- Identify the opportunities offered by a project to deliver ecological enhancement.

The aim of the BNG is to:

- Provide a baseline assessment of the habitats on the site using the DEFRA metric.
- Provide a predicted score based on proposed habitat creation and enhancement using DEFRA metric.
- Provide suitable long term management recommendations for the site, to ensure habitats reach and maintain their desired condition.

1.4 Limitations

The contents of this report are based on a single site visit and a search of the local records bureau. Though the survey and interpretations of the data were carried out by a competent ecologist there may be things that have been overlooked or missed.

The area measurements are based on plans provided by third parties.

1.5 Relevant Legislation and Planning Policies

Relevant legislation implications for this site include;

- The Conservation of Habitats and Species Regulations 2010 (as amended);
- The Wildlife and Countryside Act 1981 (as amended);
- The Countryside and Rights of Way Act 2000;
- The Natural Environment and Rural Communities Act (NERC Act) 2006;
- Environment Act (2021)

Planning policies, both local and national, may affect any proposed development. Relevant planning policies to this development include;

- National Planning Policy Framework (NPPF)
- Reading Borough Council Adopted Local Plan (2019) Policy EN12: Biodiversity and The Green Network¹.

¹ [Local Plan Adopted November 2019.pdf \(reading.gov.uk\)](#)

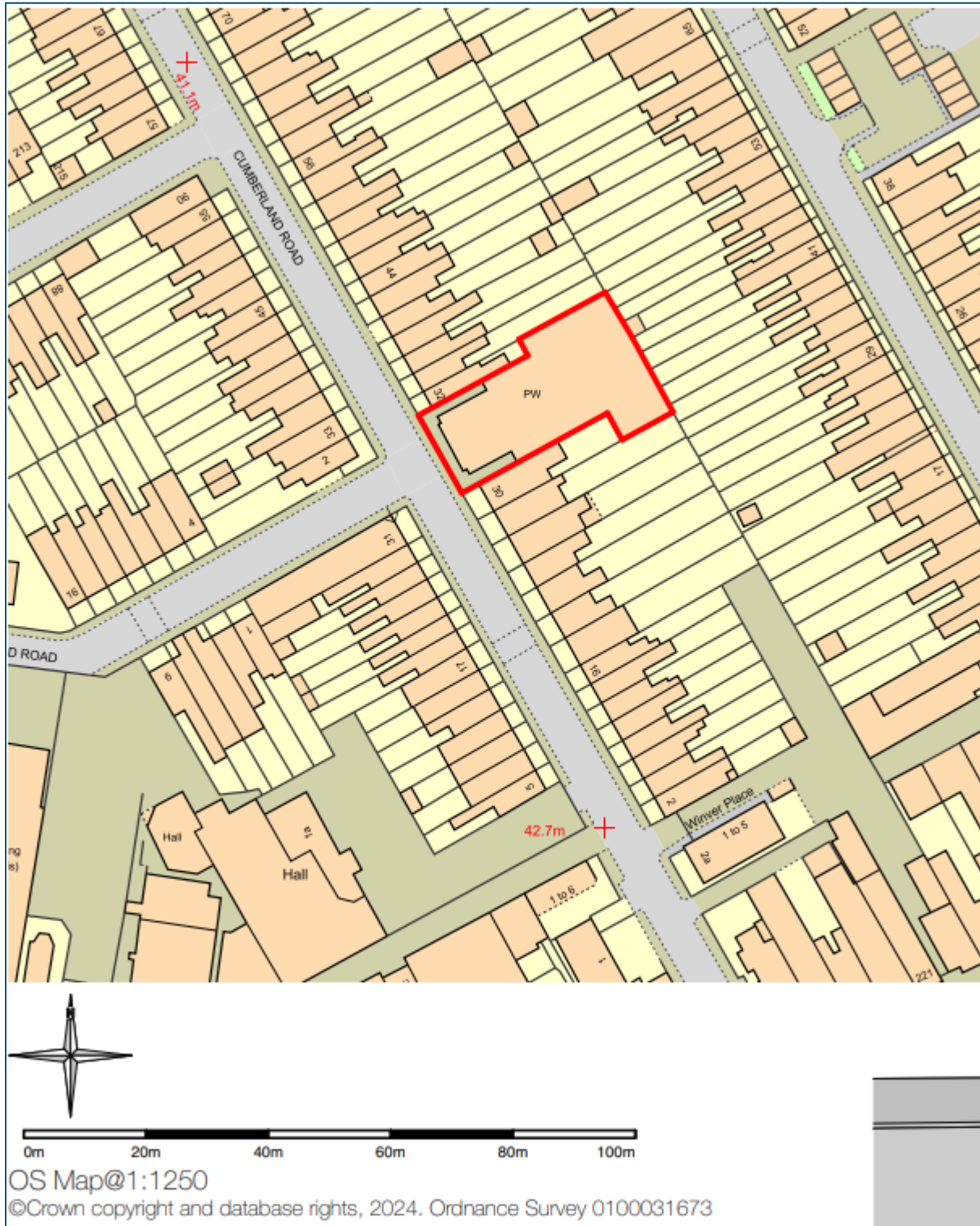


Figure 1 : Red line boundary of site.

2. Methods

2.1 Site Visit

EHM undertook a PEA site visit on the 11th of June 2024. This was to carry out a walk over of the site, determining the basic habitats present and their current condition. The potential for these habitats to support protected and notable species was also recorded. The site visit was carried out by an experienced ecologist who is able to appropriately identify habitats and assess their quality and suitability to support species.

The methodology followed that of an Extended Phase 1 Habitat Survey following the methodology of JNCC (1993) as modified by IEA (1995). The Phase 1 Habitat Survey is a standard technique for classifying and mapping British habitats. The aim is to provide a record of habitats that are likely to be ecologically important.

2.2 Protected Species

The following evidence of protected species or habitats to support them was assessed;

Badgers

Evidence of badger activity on site was assessed by searching for:

- Presence of setts, indicated by suitably sized holes or burrows with evidence of badgers such as badger hair and footprints
- Evidence of well runs supported by secondary evidence such as foraging signs or footprints; and
- Presence of badger latrines

Bats

The site was assessed for its potential to support:

- Roosting bats; and
- Foraging and commuting bats.

Features which could indicate a potential bat roost include:

- Holes and fissures in trees; and
- Gaps in buildings that could allow access to areas such as roof voids, e.g. holes in soffits, broken, loose or missing tiles, damaged lead flashing, etc.

The methodology for assessing bat roost potential followed that recommended by the Bat Conservation Trust².

Breeding Birds

The site was assessed for its potential to support nesting and breeding birds, considering factors including sufficient habitat cover and food sources.

Dormice

The site was surveyed for suitable dormouse habitat, such as the presence of a well-connected understorey broadleaf habitat, and suitable food sources such as hazel, oak and other nut-bearing trees, fruiting trees and shrubs, flowers and invertebrates. Where hazel nut shells were found, these were inspected for evidence of dormouse feeding.

Aquatic Mammals

Aquatic habitats were assessed for their potential to support aquatic mammals such as Otter or water vole. Signs including; foot prints, droppings and evidence of feeding were searched for.

Reptiles

The site was assessed for its potential to support reptile populations. Suitable habitat for reptiles includes long grass, scrub, woodland and hedgerow borders and wood/rubble piles that act as hibernacula.

Amphibians

Any aquatic habitat was assessed for its potential to support amphibian species, including Great Crested Newts. Any ponds on site were assessed, using the Habitat Suitability Index, for its potential to support Great Crested Newts. Terrestrial habitat was also assessed for its ability to support amphibians.

Other species

The site was assessed for its potential to support other notable species.

2.3 Desktop Study

Magic.gov.uk was also reviewed for additional relevant protected species and habitat information.

² Collins J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th Edition). The Bat Conservation Trust, London).

2.4 Biodiversity net Gain

A Biodiversity Net Gain Assessment has been conducted using the DEFRA Statutory Biodiversity Metric. This was conducted by a competent and qualified ecologist. The methodology set out in the Statutory Biodiversity Metric User guide was followed³. The statutory metric uses habitats, the places in which species live, as a proxy to describe biodiversity. These habitats are converted into 'biodiversity units'. These biodiversity units are the 'currency' of the metric.

More detail is provided on calculating units further on in the report.

³ The Statutory Biodiversity Metric: User Guide. February 2024. DEFRA.

3. Results

3.1 Habitat Assessment

The location and extent of the habitats are shown in appendix 1. TN refers to a target note. CIEEM guidance recommends that the value or potential value of an ecological resource or feature should be determined within a defined geographical context . It recommends the following frame of reference.

- International;
- UK;
- National (i.e. England/Northern Ireland/Scotland/Wales);
- Regional;
- County (or Metropolitan - e.g. in London);
- District (or Unitary Authority, City, or Borough);
- Local or Parish; and
- Site
- Within zone of influence only (which might be the project site or a larger area).

The habitats will be assessed based on these criteria.

The current habitat layout is shown on figure 2.

Developed land; sealed surface.

The site is entirely made up of developed land. This is dominated by the temple building which was a large building constructed of brick walls with a pitched tiled roof. There are some smaller areas with corrugated metal roof or plastic. There were also some small areas of flat bitumen roofs. The site also contained some small areas of hardstanding that form a patio and walkways on the site.

As will be discussed the built areas offer very little opportunity for wildlife. The developed land is considered as having a benefit at a site level.

Summary

The table below summaries the habitats on site and their value within a geographical context.

Habitat	Value	Comments
Developed land; sealed surface	Site	Developed land with buildings that have little potential to support protected and notable species.

Table 1: Summary of value of habitats on site.

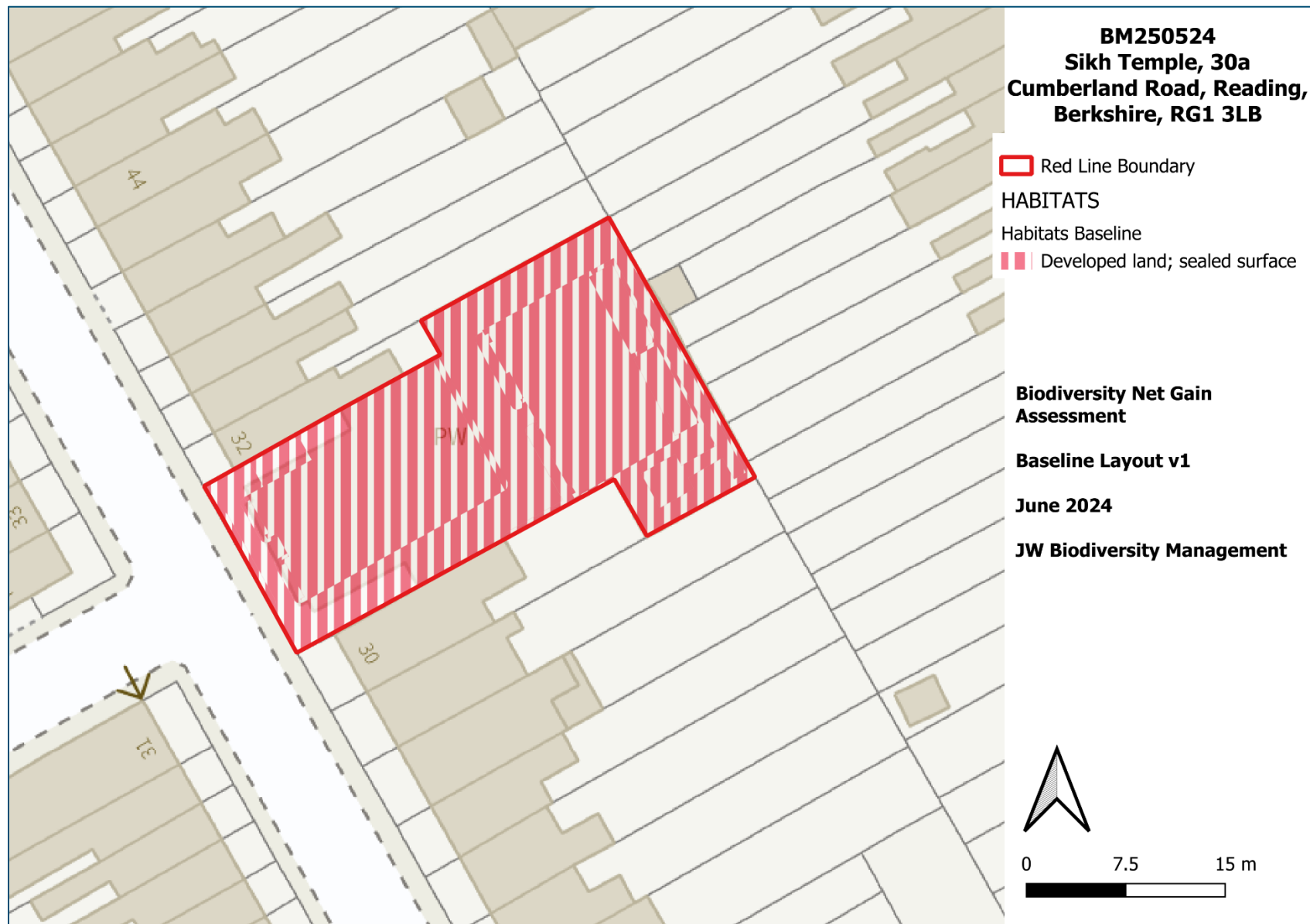


Figure 2: Current habitat layout.

3.2 Species Desktop Results

A recent desktop search of the Natural England MAGIC⁴ map was undertaken to show protected areas, priority habitats and protected species licenses are located within 2 km of the site. The table below summarises the results.

Sites and Habitats (within 2 km)	Present/Absent	Details		
Statutory sites	Present	A Local nature reserve is located within 2km to the southeast of the site.		
Ancient Woodland	Present	Ancient woodland is present within 2 km of the site.		
Priority Habitats	Present	The local landscape and wider site contain areas of priority habitat including deciduous woodland.		
Protected Species Licences (MAGIC) within 2 km	Number of granted licences	Distance of closest licence	Date of earliest licence	Date of recent licence
Bat species	8	Within 1000m	2010	2020
Amphibians	0	-	-	-
Mammals	0	-	-	-

Table 2: Summary of protected areas and species information.

⁴ www.magic.gov.uk

3.2 Species Site Assessment

The following assessment takes into account the information from the desktop study as well as an assessment of the habitats on site and their potential to support protected and notable species. The likelihood of species being found on site is defined as follows;

- High- Definite signs of species identified on site and habitat considered suitable.
- Medium/ moderate- habitat considered suitable but obvious signs not necessarily detected.
- Low- no obvious signs and habitat considered sub-optimal. Though species may be present.
- Negligible- highly unlikely that species is present

Bat Commuting/ Foraging Habitat

The protected species licencing information from the Magic map produced records of granted protected species licences within 2 km of the site. The closest is approximately 1km to the south of the site close to Whiteknights Lake, other granted licences were located further to the south (approx. 1600m from the site) also close to Whiteknights Lake. The other licences are located mostly to the west of the site between 1 and 2km from the site.

All bat species in the UK eat insects and forage along habitats such as hedgerows, woodlands, grasslands and waterways⁵. Bats use woodland edges, hedgerows, rivers and other linear features like tree-lined footpaths as corridors to commute from one area of countryside to another⁶. The site itself does not contain suitable foraging or commuting areas. The site is bordered by residential properties, with garden habitats, which may provide some foraging/ commuting habitats. However The site is considered as having a **negligible** potential to support commuting and foraging bats.

⁵ <https://www.bats.org.uk/about-bats/where-do-bats-live/bat-habitats/foraging-habitats>

⁶ <https://www.bats.org.uk/about-bats/where-do-bats-live/bat-habitats/commuting-habitats>

Bat Roost Assessment

Buildings are known to provide suitable roosting opportunities for a number of bat species⁷. An external inspection of the buildings on site was carried out to assess their potential to support bat roosts, following Bat conservation trust guidelines⁸. An internal inspection was undertaken where possible inspecting all roof voids and potential roosting locations with a high-powered torch looking for signs of bats in the form of staining, droppings, feeding remains and the bats themselves. This was followed by an external inspection of the buildings looking for potential ingress points through soffits, eaves, missing roof tiles/slates and brickwork and windows.

The table below summarises the guidelines for assessing the potential suitability of structures. This table is taken from the Bat Conservation Trust good practice guidelines 2023⁹.

Potential suitability	Description	
	Roosting habitats in structures	Potential flight-paths and foraging habitats
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e. no habitats that provide continuous lines of shade/protection for flight-lines, or generate/shelter insect populations available to foraging bats).
Negligible ^a	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.	No obvious habitat features on site likely to be used as flight-paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions ^b and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site, but could be used by individual hibernating bats ^c).	Habitat that could be used by small numbers of bats as flight-paths such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions ^b and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation – the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).	Continuous habitat connected to the wider landscape that could be used by bats for flight-paths such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions ^b and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation site.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight-paths such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.
^a Negligible is defined as 'so small or unimportant as to be not worth considering, insignificant'. This category may be used where there are places that a bat could roost or forage (due to one attribute) but it is unlikely that they actually would (due to another attribute). ^b For example, in terms of temperature, humidity, height above ground level, light levels or levels of disturbance. ^c Evidence from the Netherlands shows mass swarming events of common pipistrelle bats in the autumn followed by mass hibernation in a diverse range of building types in urban environments (Korsten <i>et al.</i>, 2016 and Jansen <i>et al.</i>, 2022). Common pipistrelle swarming has been observed in the UK (Bell, 2022 and Tomlinson, 2020) and winter hibernation of numbers of this species has been detected at Seaton Delaval Hall in Northumberland (National Trust, 2018). This phenomenon requires some research in the UK, but ecologists should be aware of the potential for larger numbers of this species to be present during the autumn and winter in prominent buildings in the landscape, urban or otherwise.		

Table 3: Summary of guidelines for assessing bat potential.

⁷ Bats and Buildings. Bats and the Build Environment Series. Bat Conservation Trust. January 2012.

⁸ Collins J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th Edition). The Bat Conservation Trust, London).

⁹ Collins J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th Edition). The Bat Conservation Trust, London).

The exterior of the building did not contain any gaps or crevices that have potential to support bat roosts. The tiles all appeared to be in good condition and there were no signs of obvious gaps. In general the building was in a good state of repair. The interior of the building was also inspected. There was no accessible roof void due to most of the roof space being open. No obvious egress points were noted, with the majority of the roof viewable.

No evidence of bats such as droppings, staining, feeding remains or bats themselves were seen during the assessment.

Following a thorough inspection the building on site are considered as having a **negligible** potential to support a bat roost.

Badger Assessment

The site was investigated for evidence of Badger (*Meles meles*); setts or signs such as tracks, hair or latrines. No evidence of badgers or suitable habitat was noted on site. The potential for badgers to be on site is considered to be **negligible**.

Dormouse Assessment

Across its range dormice (*Muscardinus avellanarius*) prefer the successional stage of woody vegetation; this is the new growth that arises after woodland management such as coppicing, ride widening, thinning or glade creation, they may also occur in scrubby habitat¹⁰. The site itself did not contain any suitable habitat for dormouse and no evidence was seen. The MAGIC map does not contain any record of dormouse within the local landscape. There is no suitable habitat on the site or within proximity of the. The likelihood of dormouse being present is considered **negligible**.

Small Mammal Assessment

Hedgehogs (*Erinaceus europaeus*) prefer habitats such as woodland edges and hedges as well as suburban areas¹¹. The site lacks any form of suitable habitat. The likelihood of small mammals being seen on site is considered to be **negligible**.

Aquatic Mammals

No suitable waterbodies were present on site.

¹⁰ <https://ptes.org/get-informed/facts-figures/hazel-common-dormouse-muscardinus-avellanarius/>

¹¹ http://www.mammal.org.uk/sites/default/files/factsheets/hedgehog_complete_0.pdf

Reptile Assessments

Reptiles prefer sites with a diversity of habitats containing a number of micro habitats that provide suitable foraging and refuge sites¹². The site did not contain any vegetated habitats. The likelihood of reptiles being present is **negligible**.

Amphibian Assessment

The European protected species Great Crested Newt (*Triturus cristatus*) require both suitable aquatic habitats for breeding and terrestrial habitats to forage and shelter during the active season and hibernate over winter¹³. The site does not contain any suitable aquatic or terrestrial habitats likely to support amphibians. The likelihood of amphibians being present is **negligible**.

Bird Assessment

No evidence of nesting birds was seen during the site visit. It is possible the building could support nesting birds. The potential for the site to support nesting birds is considered to be **low**.

Invertebrate Assessments

The site does not contain any habitats likely to support notable or protected invertebrates. The likelihood of notable invertebrates being present is **negligible**.

¹² Edgar, P., Foster, J. and Baker, J. (2010). Reptile Habitat Management Handbook. Amphibian and reptile Conservation, Bournemouth

¹³ Great crested newt mitigation guidelines. August 2001. English Nature.

Summary

Table 3 below summarises the sites potential for protected and notable species. Designations for potential are as follows;

- High- Definite signs of species identified on site and habitat considered suitable.
- Medium/ moderate- habitat considered suitable but obvious signs not necessarily detected.
- Low- no obvious signs and habitat considered sub-optimal. Though species may be present
- Negligible- highly unlikely that species is present.

Species	Sites potential to support	Justification
Bat roost buildings	Negligible	Buildings not considered likely to support bat roosts.
Bat foraging/ commuting areas	Negligible	No suitable habitat on site.
Badgers	Negligible	No evidence of badgers on site. No suitable habitat on site.
Dormice	Negligible	No suitable habitat on site.
Small mammals	Negligible	No suitable habitat on site.
Reptiles	Negligible	No suitable habitat on site.
Amphibians	Negligible	No suitable habitat on site.
Breeding birds	Low	Buildings have some limited potential to support nesting birds.
Invertebrates	Negligible	No suitable habitat on site

Table 4: Summary of sites potential to support certain protected and notable species.

3.3 Protected Areas

Statutory Protected Areas

The only Statutory Protected Area within 2km of the site, the Highwood Local Nature Reserve. This is located approximately 1800m to the southeast of the site and only partially within the 2km search radius. This site contains a fine example of mixed lowland woodland with an attractive heathland area.

Priority Habitats

Habitats listed on the Priority Habitat Inventory (PHI) are located on site and across the local landscape. The closest are pockets of priority woodland located to the southeast of the site within a cemetery and around the edges of Palmer Park. Relatively large areas of priority woodland and wood-pasture and Parkland is located to the south of the site located around Whitenights house and campus. Ancient woodland is located within the Local Nature reserve to the southeast of the site. Other smaller pockets of priority woodland are located within the wider landscape.

4. Discussion

The following sections consider the effects on protected areas, priority habitats, protected species, notable species and habitats on site. Recommendations for additional surveys and or enhancements are made as necessary.

4.1 Effects of Designated Sites

The site is not within direct proximity of protected areas. It is unlikely that there will be any direct impacts to these protected areas. The general protection measures set out below should be followed to help ensure there are no indirect impacts.

4.2 Effects on Priority Habitats

Areas of ancient woodland are located within the local landscape. The National Planning Policy Framework (NPPF) (2021) paragraph 180 states “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”. Natural England’s standing advice for Ancient Woodland¹⁴ currently recommends that at least a 15m buffer is created between any development and ancient woodland. The nearest area of ancient woodland is over 15m from the site so therefore this will not be a constraint for this project.

Areas of priority habitat are located within 500m of the site though not bordering the site. These areas will not be directly impacted by the proposed development, by following the pollution control measures set out below any indirect impacts will be minimised.

4.3 Effects on Habitats on Site

As can be seen in appendix 1 the development will impact the majority of the site. The existing building will be demolished.

The development offers opportunities for biodiversity enhancements including the provision of new trees on site.

¹⁴ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

4.4 Effects on Protected and Notable Species

Bats

The buildings on site were not considered likely to support a bat roost.

It should be noted that bat absence is very difficult to prove definitively due to their mobility and size, and single or small numbers of bats are able to roost in extremely small spaces, such as in gaps between panels. The development work should be undertaken with care, for example with roof tiles lifted rather than dragged. If during development works a bat (or an accumulation of bat droppings) is discovered at any time, work is to temporarily cease whilst an experienced bat ecologist is contacted for guidance and assistance. This can be the Bat Conservation Trust (BCT) helpline (0845 1300 228).

A sensitive lighting scheme should be incorporated into the final design to protect existing habit habitats and any newly created habitats on the site. To protect potential roost or bat foraging/ commuting habitat in the area it will be important to;

- Avoid illuminating the wider habitats on site and retained building at dusk or night-time- Guidelines provided by the Bat Conservation trust and ILP should be followed¹⁵
- Limit work to daylight hours
- Limit noise disturbance and other forms of pollution such as dust
- Maintain the wider habitats on site.
- Lighting should also be considered post-development with any external lighting positioned so as not to illuminate potential foraging or commuting habitats.

Badgers

Badgers are not considered a constraint for this project.

Small Mammals

Small mammals are unlikely to be impacted during the proposed development.

Dormouse

Hazel Dormice, their breeding sites and resting places are protected by law¹⁶. Dormouse are not considered a constraint for this site.

Reptiles and Amphibians

Reptiles and amphibians are not considered a constraint for this development.

¹⁵ <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>

¹⁶ <https://www.gov.uk/guidance/hazel-or-common-dormice-surveys-and-mitigation-for-development-projects>

Nesting Birds

To ensure breeding birds are not impacted any buildings that may require removal should be removed outside of the breeding bird season, this typically runs from March to September. If vegetation/ buildings require removal during the nesting bird season the area should be subjected to a survey by an experienced ecologist. If there are any nest sites located within the work area a suitable exclusion zone will have to be established until the chicks have fledged. All bird nests are protected in the Wildlife and Countryside Act (see appendix).

Additional planting and inclusion of nest boxes would help replace any potential loss in nesting habitat.

4.5 General Ecological protection Measures

The following measures are suggested to help minimise the impact to the wider environment;

- Suppression and monitoring of dust where relevant.
- Control sources of aquatic pollution, particularly from entering local water courses or ground water.
- All proposed work must strictly be in accordance with all relevant Pollution Prevention Guidelines (PPG) published by the Environment Agency which may include but is not limited to PPG1 (general), PPG5 (works in, near, or liable to affect watercourses) and PPG6 (work at construction & demolition sites). Contingency plans should be drawn up to address chemical spillage, collision, etc.

4.6 Ecological Enhancements

A number of enhancements can be made to the final development to help reduce potential ecological impacts, as well as to try and achieve biological net gain. It is important to utilise native species of local provenance in landscaping schemes to enhance the ecological value of the development.

A Biodiversity Net Gain assessment has been conducted (section 5).

Planting

Native tree planting will be used to provide additional habitats.

Additional Features

To enhance the local bat population and provide roosting opportunities within the site artificial roost sites could be incorporated into the development.

The inclusion of bird boxes into the proposed development would provide a benefit for local bird population. A range of different boxes is recommended.

5 Biodiversity Net Gain Assessment

5.1 Net Gain Target

Mandatory Biodiversity Net Gain, as part of the Environment Act (2021), came into effect in early 2024. Mandatory net gain requires a minimum of a 10% net gain.

For the purpose of this assessment a target of 20% net gain will be used as this will be in line with the policies of the Local Planning Authority (LPA).

5.2 Net Gain Assessment

A Biodiversity Net Gain Assessment has been conducted using the DEFRA Statutory Biodiversity Metric. This was conducted by a competent and qualified ecologist. The methodology set out in the Statutory Biodiversity Metric User guide was followed¹⁷. The statutory metric uses habitats, the places in which species live, as a proxy to describe biodiversity. These habitats are converted into 'biodiversity units'. These biodiversity units are the 'currency' of the metric.

5.2.1 Mitigation Hierarchy

The Statutory Biodiversity Metric supports and reinforces the application of the mitigation hierarchy which is an important principle of ecological good practice. Applying the mitigation hierarchy means aiming to retain habitats in situ and avoiding or minimising habitat damage so far as possible, before looking to enhance or recreate habitats. This sequential approach is encouraged by biodiversity metric because it allows overall biodiversity gains to be achieved more easily through the avoidance of on-site habitat losses, rather than relying solely on the creation of new habitat or the enhancement of existing habitat. It works this way because the metric applies multipliers that are based on the risks inherent in creating or restoring habitat, and which are not applicable when existing habitat is safeguarded.

5.2.2 Statutory Obligations

The use of the biodiversity metric does not negate the projects statutory obligations in relation to protected species and habitats.

¹⁷ The Statutory Biodiversity Metric: User Guide. February 2024. DEFRA.

5.2.3 Calculating Units

Biodiversity units are calculated using the size of a parcel of habitat and its quality. The metric uses habitat area (measured in hectares) as its core measurement, except for linear habitats (hedgerows and lines of trees and rivers and streams) where habitat length (measured in kilometres) is used.

To assess the quality of a habitat biodiversity metric scores:

- Habitats of different types, such as woodland or grassland, according to their relative biodiversity value or distinctiveness. Habitats that are scarce or declining typically score highly relative to habitats that are more common and widespread.
- The condition of a habitat. Scoring the biodiversity value of the habitat relative to others of the same type.
- Being 'better' and 'more joined-up' are important facets of habitats that can contribute to halting and reversing biodiversity declines, so the metric also accounts for whether or not the habitat is sited in an area identified, typically in a relevant local strategy or plan, as being of strategic significance for nature.

5.2.3 Principles and rules of Biodiversity Metric

Principles

The Biodiversity Metric works under the following principles;

- Principle 1: The metric assessment should be completed by a competent person.
- Principle 2: The use of this biodiversity metric does not override existing biodiversity protections, statutory obligations, policy requirements, ecological mitigation hierarchy or any other requirements. This includes consenting or licensing processes, for example woodlands.
- Principle 3: This biodiversity metric should be used in accordance with established good practice guidance and professional codes.
- Principle 4: This biodiversity metric is not a complex or comprehensive ecological model and is not a substitute for expert ecological advice.
- Principle 5: Biodiversity units are a proxy for biodiversity and should be treated as relative values.
- Principle 6: This biodiversity metric is designed to inform decisions in conjunction with locally relevant evidence, expert input, or guidance.
- Principle 7: Habitat interventions need to be realistic and deliverable within a relevant project timeframe.

- Principle 8: Created and enhanced habitats should be, where practical and reasonable, local to any impact and deliver strategically important outcomes for nature conservation
- Principle 9: The metric does not enforce a minimum habitat size ratio for compensation of losses. However, proposals should aim to:
 - maintain habitat extent (supporting more, bigger, better and more joined up ecological networks) and
 - ensure that proposed or retained habitat parcels are of sufficient size for ecological function.

Rules

The following rules apply to the biodiversity metric;

- Rule 1: The trading rules of this biodiversity metric must be followed.
- Rule 2: Biodiversity unit outputs, for each type of unit, must not be summed, traded, or converted between types. The requirement to deliver at least a 10% net gain applies to each type of unit.
- Rule 3: To accurately apply the biodiversity metric formula, you must use the statutory biodiversity metric calculation tool or small sites biodiversity metric tool (SSM) for small sites. The tools remove the need for a user to manually calculate the change in biodiversity value. The tool will summarise the results of the calculation and inform a user whether the biodiversity net gain objective has been met.
- Rule 4: In exceptional ecological circumstances, deviation from this biodiversity metric methodology may be permitted by the relevant planning authority.

5.3 Baseline Assessment Scores

5.3.1 Habitat Condition

Habitat condition is a measure of the state of a habitat and is used to measure variation between parcels of the same habitat type.

Condition is often linked to past management, present management, and land use.

The baseline habitat assessment has been conducted using the information from the PEA site visit. The condition of each habitat is assessed using the DEFRA condition assessment sheets. The condition assessment measures a habitat parcel against the ecological optimum state for that habitat. The biodiversity metric provides a list of assessment criteria for each habitat type. The condition of the habitat is then assessed against these criteria; the more criteria present within the habitat the higher the assessed condition. Location of current habitats are shown in figure 2.

5.3.2 Habitat Distinctiveness

Distinctiveness is a measure based on the type of habitat and its distinguishing features. Professional survey is required to determine habitat type.

The biodiversity metric tool automatically assigns distinctiveness category to your selected habitats.

5.3.3 Strategic Significance

Strategic significance is the local significance of the habitat based on its location and habitat type. Where a Local Nature Recovery Strategy (LNRS) has been published, you should use the relevant published LNRS. If an LNRS has not yet been published, a relevant planning authority should specify alternative documents for assigning strategic significance whilst an LNRS is put in place.

For the purpose of this assessment the Reading Biodiversity Action Plan (2021) will be used in lieu of a LNRS.

The table below summarises the baseline habitat assessment. Full details can be seen in the appendix. The site consists of developed land with no measurable vegetated habitats on site. This means that the site has a zero-unit baseline.

Broad habitat	Habitat type	Area (ha)	Condition	Distinctiveness	Strategic Significance
Onsite Area Habitats					
Urban	Developed land; sealed surface	0.06	N/A	Very low	V. Low Strategic Significance
On-site Baseline					0.00 Habitat Units

Table 5: Summary of BNG baseline assessment.

5.4 Post Development Assessment

The development (appendix 1) will impact existing areas of developed land.

As the site has a zero unit baseline any form of enhancement will meet the required net gain. Using the metric is difficult to show a measurable gain as the baseline is zero. However, to ensure an enhancement on site it is recommended that areas of grassland and trees will be added to the site.

Areas of modified grassland will be added across the site and be managed as a lawn type habitat. As an additional enhancement a low growing floral mix could be added to the sward. Two individual trees will be added to the southeast of the site and a tree line along the eastern boundary.

These habitats will, greatly increase the available vegetated habitats on site. They will create nesting bird opportunities as well as potential bat commuting and foraging habitats.

The proposed layout is shown in figure 3.

Retained/ Newly Created Habitat	Area (m ²)	Distinctiveness	Desired condition	Strategic Significance	Required Enhancements
On site					
Developed land; sealed surface (New and retained)	0.0545	Very Low	N/A	Low	Follow ecological protection measures during construction.
Modified Grassland	0.0082	Low	Poor	Low	- Sow with suitable wildflower mix. Low growing flowering mix may be beneficial - Maintain Varied sward height- >20% <7cm and >20% <7cm. - Maintain scrub <20%. - Maintain an absence of non-native species
Rural Tree	2x 'small' trees	Medium	Poor	Medium	- Plant native trees - Manage to good horticultural standard. - Allow micro habitats to develop - Maintain vegetated habitats around trees

Table 5: Summary of enhancement of new habitats.



Figure 4: Proposed Habitats Layout.

5.5 Biodiversity Net Gain

The table below provides a summary of the results of the Biodiversity Net Gain Assessment. The proposed enhancements will add 0.04 habitat units and 0.03 hedgerow units to the site.

FINAL RESULTS			
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Habitat units</i>	0.04	
	<i>Hedgerow units</i>	0.03	
	<i>Watercourse units</i>	0.00	
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Habitat units</i>	N/A	0 baseline units - % cannot be calculated
	<i>Hedgerow units</i>	N/A	0 baseline units - % cannot be calculated
	<i>Watercourse units</i>	0.00%	
Trading rules satisfied?	Yes ✓		

Table 6: Summary of BNG calculations.

5.5.1 Trading Rules

The trading rules set minimum habitat creation and enhancement requirements to compensate for specific habitat losses, up to the point of no net loss. They are based on the habitat type and distinctiveness of the lost habitat.

The trading rules for this proposed development have been met.

5.5.2 Planting Detail

Once the proposed enhancements have been agreed a more detailed planting plan and methodology may be required. This should include full details of all enhancements and can be a condition of the proposed development.

As a condition of planning permission, a long-term Habitat Management and Monitoring Plan (HMMP) may be required by the LPA.

6. Conclusion

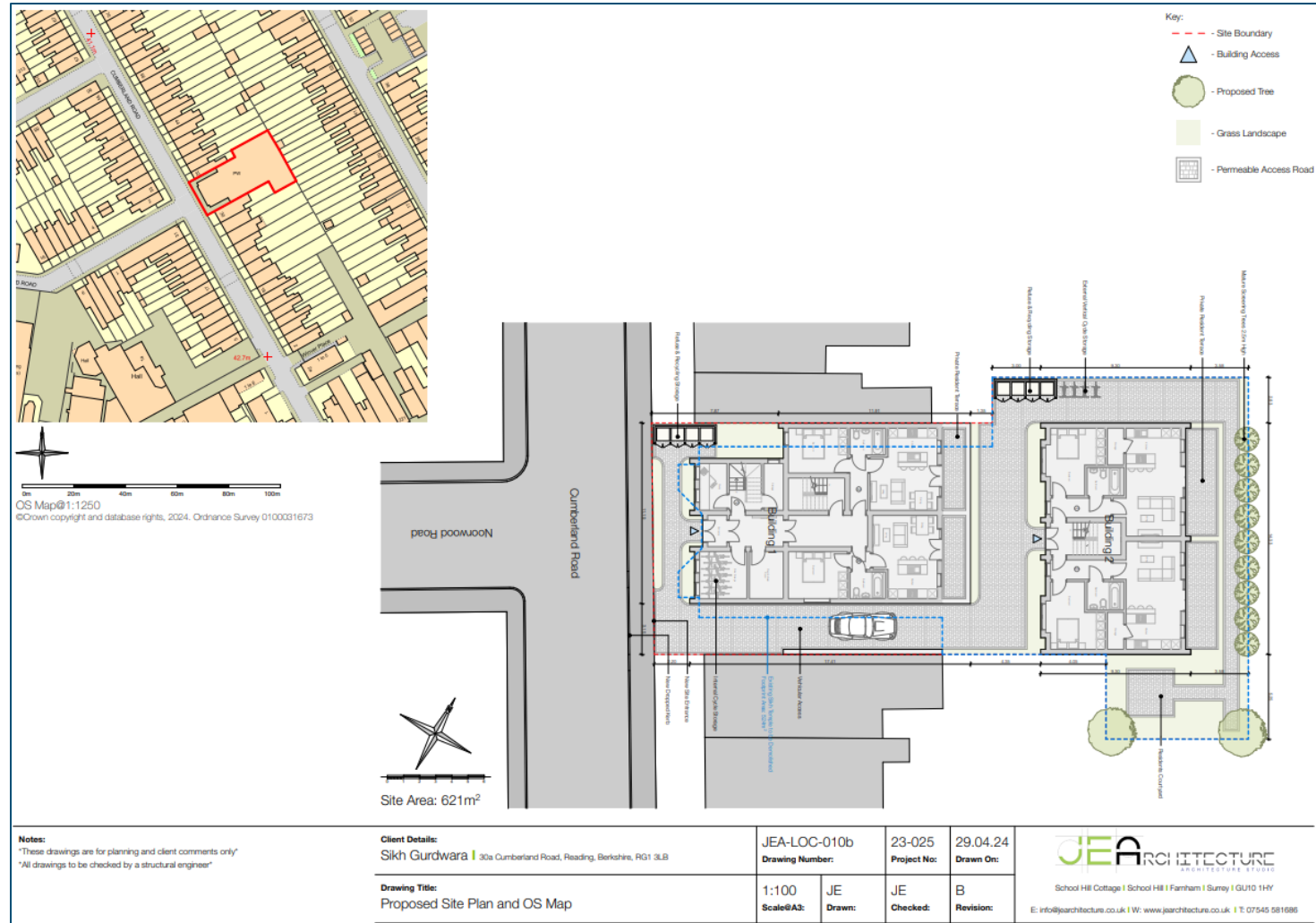
A Biodiversity Net Gain assessment has been conducted by a competent ecologist and recommendations have been made to ensure the projects achieves a net gain. This is inline with local and national planning policies. Recommendations have also been made in relation to protected and notable species.

Recommendation	Action	Justification
Protection of breeding birds*	Carry out building demolition outside of breeding bird season or under supervision of ecologist following a breeding bird survey	The buildings are likely providing several opportunities for breeding birds.
Appropriate lighting for bats*	Avoid illuminating bat foraging and commuting habitat- woodland/ scattered trees. During and post development.	This will help limit disturbance to bat species in the longer term.
Adequate pollution control	Habitats on site should be adequately protected to ensure no polluted runoff in on site or adjacent land. All oils, fuels and chemicals should be adequately stored on site in bunded contains with appropriate spill kits and emergency procedures in place.	This will protect habitats on site and those in the nearby landscape.
Inclusion of bird and bat boxes in the development/ landscaping	Place boxes in suitable locations within the landscaping.	This would benefit local bird and bat populations on the site and within the local area.
Develop detailed planting plan.	Develop detailed planting plan as per BNG assessment.	This will provide a greater longer-term benefit for wildlife and ensure the project achieves the required net gain.

Table 7: Summary of recommendations

7. Appendix

7.1 Appendix 1: Proposed Development Outline



7.2 Appendix 3: Photos



Photo 1: Showing pitched tiled roof



Photo 2: Showing front façade of the building.

BNG Calculations- Baseline Area Habitats on Site

Broad Habitat	Proposed habitat	Area (hectares)	Distinctiveness	Condition	Strategic significance	Temporal multiplier		Difficulty multiplier	Habitat units delivered
			Distinctiveness	Condition	Strategic significance	Standard or adjusted time to target condition	Final time to target condition (years)	Final difficulty of creation	
Urban	Developed land; sealed surface	0.0183	V.Low	N/A - Other	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	0	Low	0.00
Urban	Developed land; sealed surface	0.0127	V.Low	N/A - Other	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	0	Low	0.00
Grassland	Modified grassland	0.0006	Low	Poor	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	1	Low	0.00
Grassland	Modified grassland	0.0043	Low	Poor	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	1	Low	0.01
Urban	Developed land; sealed surface	0.0001	V.Low	N/A - Other	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	0	Low	0.00
Grassland	Modified grassland	0.0005	Low	Poor	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	1	Low	0.00
Grassland	Modified grassland	0.0003	Low	Poor	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	1	Low	0.00
Grassland	Modified grassland	0.0003	Low	Moderate	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	4	Low	0.00
Grassland	Modified grassland	0.0004	Low	Poor	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	1	Low	0.00
Grassland	Modified grassland	0.0009	Low	Poor	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	1	Low	0.00
Urban	Developed land; sealed surface	0.0207	V.Low	N/A - Other	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	0	Low	0.00
Grassland	Modified grassland	0.0009	Low	Poor	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	1	Low	0.00
Urban	Developed land; sealed surface	0.0014	V.Low	N/A - Other	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	0	Low	0.00
Urban	Developed land; sealed surface	0.0013	V.Low	N/A - Other	Area/compensation not in local strategy/ no local strategy	Standard time to target condition applied	0	Low	0.00
Individual trees	Urban tree	0.0081	Medium	Poor	Location ecologically desirable but not in local strategy	Standard time to target condition applied	10	Low	0.02
	Total habitat area	0.07							0.04

Proposed habitats		Distinctiveness	Condition	Strategic significance		Temporal multiplier		Difficulty risk multipliers	Hedge units delivered
Habitat type	Length (km)	Distinctiveness	Condition	Strategic significance	Standard or adjusted time to target condition	Final time to target condition (years)	Final difficulty of creation		
Line of trees	0.014	Low	Poor	Location ecologically desirable but not in local strategy	Standard time to target condition applied	5	Low	0.03	
	0.01							0.03	

7.4 Appendix 4: Legislation

Protected species have protection under national legislation such as the Wildlife and Countryside Act 1981 and European legislation such as the Habitats Directive.

Please note the following:

- (1) If there is no record of a particular protected species, this does not signify that the species is absent from the site in question. It may mean that it has not been recorded, that the site has not been surveyed for this species, or that data relating to its presence has not been made available to us.
- (2) The presence of a protected species record does not mean that the species is still present. It means that the species was recorded at that time and place. The implications of the record should be further evaluated, and a survey to establish the current status may be required.
- (3) The following summary of legislation is designed purely as a basic guide, if any action is to be taken regarding any of the protected species listed, then it is imperative that the full relevant legislation be consulted.

WILDLIFE PROTECTION LEGISLATION IN ENGLAND

Legislation that protects wildlife in England exists at the European and national level.

European Law

The Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979) was aimed at ensuring conservation and protection of all wild plants and animals, increasing cooperation between states, and affording special protection to the most vulnerable or threatened species. It was implemented by the EC Birds Directive (Council Directive 79/409/EEC) and the EC Habitats Directive (Council Directive 92/43/EEC).

The Bonn Convention on Migratory Species of Wild Animals (1979 & 1994) requires the protection of migratory animals. It was implemented by the EC Birds Directive (Council Directive 79/409/EEC) and the EC Habitats Directive (Council Directive 92/43/EEC).

The EC Habitats Directive aims to establish a network of protected areas in order to maintain the distribution and the abundance of threatened species and habitats. A number of species are listed in the annexes.

Annex II lists animals and plants whose conservation requires the designation of Special Areas of Conservation (SACs).

Annex IV lists animals and plants in need of strict protection. For the animals, this prohibits deliberate capture, killing, disturbance (especially during breeding period), destruction or taking of eggs from wild, and destruction or deterioration of breeding sites or resting places. For the plants,

this prohibits deliberate picking, collecting, uprooting, cutting, destruction, and trade in entire plants or parts, at all stages of life.

Annex V lists animals and plants for which taking in the wild may be subject to management measures

National Law

Wildlife and Countryside Act The Wildlife and Countryside Act 1981 (as amended) is the main source of legal protection for wildlife in England and was strengthened by the Countryside and Rights of Way Act 2000. A statutory five-yearly review of Schedules 5 and 8 (protected wild animals and plants) is undertaken by the relevant authorities. Species protection is provided under Schedules 1, 5, 6 and 8:

Schedule 1 lists bird species that are rare, endangered, declining or vulnerable. The Schedule is divided into two parts. Part I lists birds which receive special protection; these birds receive additional protection from disturbance at the nest. Part II lists birds that receive the same level of special protection, but only during the breeding season.

Schedule 5 protects animal (other than bird) species from certain actions, according to the sections of the Act under which they are listed:

S9 (1) prohibits the intentional killing, injury or taking. S9 (2) protection is limited to possessing and controlling. S9 (4a) prohibits the damaging, destroying or obstructing access to any place used by the animal for shelter or protection. S9 (4b) prohibits disturbing the animal while it is occupying any structure or place which it uses for shelter or protection. S9(5) prohibits the selling, offering for sale, possessing or transporting for purpose of sale, or advertising for sale, any live or dead animal, or any part of, or anything derived from such an animal. Species on this Schedule do not appear on the PSI.

Schedule 6 lists animals that may not be killed by certain methods. Even humane trapping for research requires a licence.

Schedule 8 lists plant species for which it is prohibited to intentionally pick, uproot, destroy, trade in, or possess (for the purposes of trade).

Under the Wildlife and Countryside Act, all wild plants in Britain are protected from intentional uprooting by an unauthorised person. Landowners, land occupiers, persons authorised by either of these, or persons authorised in writing by the Local Authority for the area are exempt from this, except for Schedule 8 species.

Conservation Regulations the Conservation of Habitats and Species Regulations 2010 (as amended) transpose the EC Habitats Directive into national law. In addition to enabling the designation of SACs, the regulations also provide species protection:

Schedule 2 protects the listed animals from deliberate capture, killing, disturbance or trading in.

Schedule 4 protects the listed plants from picking, collecting, uprooting, destroying or trading in.

These actions can be made lawful through the granting of licences by the appropriate authorities. Licences may be granted for a number of purposes, but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild the population of the species concerned.

Protection of Badgers Act the Protection of the Badgers Act prohibits the killing, injuring or taking of badgers and damage or interference with a badger sett, unless licensed to do so by a statutory authority.

International and European Obligations

In the UK, species receiving protection under international legislation and agreements are protected through the Wildlife and Countryside Act, so are not shown separately in the BMERC notable species lists. For reference, the relevant categories are shown below.

Bern Convention on the Conservation of European Wildlife and Natural Habitats the Bern Convention aims to ensure the conservation of wild flora and fauna species and their habitats.

- Appendix 1 (strictly protected flora) - Plants for which contracting parties will prohibit deliberate picking, collecting, cutting or uprooting.
- Appendix 2 (strictly protected fauna) - Animals for which contracting parties will prohibit deliberate capture, possession, killing, damage to or destruction of breeding or resting sites, disturbance or destruction or taking of eggs. Appendix 3 (protected fauna) - Animals for which contracting parties will include closed seasons and regulate their sale, keeping for sale, and transport for sale or offering for sale of live and dead wild animals. (Not included in Notable Species List).

Bonn Convention on Migratory Species the Bonn Convention aims to conserve terrestrial, marine and avian migratory species throughout their range.

- Appendix 1 (migratory species threatened with extinction) - Species for which contracting parties will strictly protect and endeavour to conserve or restore the places where they live, mitigating obstacles to migration and controlling other factors that might endanger them.
- Appendix 2 (migratory species that need or would benefit from international co-operation) - Species for which contracting parties will be encouraged to conclude global or regional agreements for the conservation and management of individual species or, more often, of a group of species. (Not included in Notable Species List).

The EC Council Directive on the Conservation of Wild Birds the Birds Directive provides a framework for the conservation and management of all wild birds in Europe. As well as designating important sites for birds as Special Protection Areas, birds are generally protected from deliberate killing or capture and destruction of or damage to their nests or eggs, and deliberate disturbance. Allowances are made for game birds.

UK BAP & notable species

UK Biodiversity Action Plan and Section 41 Species

Biodiversity, or biological diversity, is the whole variety of life on Earth. The Convention on Biological Diversity (CBD) came about as a result of the 1992 Earth Summit. As one of 168 countries to sign up to the CBD, the UK was required to develop a national strategy for the conservation of biodiversity; the UK Biodiversity Action Plan (UKBAP) was born.

The UKBAP is the result of contributions involving a wide range of people and organisations, enabling the identification of species and habitats that are listed as priorities for conservation action. A 2007 review of the UKBAP has resulted in 1149 species and 65 habitats being listed as conservation priorities. For more information see www.ukbap.org.uk.

In addition to the national priorities and targets, action is also being taken at local level. The Essex Biodiversity Project is responsible for implementing the Essex Biodiversity Action Plan, which has 28 priority species and 15 priority habitats currently listed. For more information see www.essexbiodiversity.org.uk.

The UK BAP

(From Explanatory Note by Defra and Natural England on Section 41 of the Natural Environment and Rural Communities

(NERC) Act 2006 - Habitats and Species of Principal Importance in England)

The England Biodiversity List has been developed to meet the requirements of Section 41 of the Natural Environment and Rural Communities Act (2006). This legislation requires the Secretary of State to publish a list of species of flora and fauna and habitats considered to be of principal importance for the purpose of conserving biodiversity.

The S41 list will be used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the Natural Environment and Rural Communities Act 2006 'to have regard' to the conservation of biodiversity in England, when carrying out their normal functions. In particular:

- Regional Planning Bodies and Local Planning Authorities will use it to identify the species and habitats that should be afforded priority when applying the requirements of National Planning Policy framework (NPPF) and PPS9 Circular to maintain, restore and enhance species and habitats.
- Local Planning Authorities will use it to identify the species and habitats that require specific consideration in dealing with planning and development control, recognising that under NPPF and PPS9 Circular the aim of planning decisions should be to avoid harm to all biodiversity.
- All Public Bodies will use it to identify species or habitats that should be given priority when implementing the NERC Section 40 duty.

Habitats of Principal Importance Fifty-six habitats of principal importance are included on the S41 list. These are all the habitats in England that have been identified as requiring action in the UK Biodiversity Action Plan (UK BAP). They range from habitats such as upland hay meadows to lowland mixed deciduous woodland and from freshwater habitats such as ponds to marine habitats such as subtidal sands and gravels.

Species of Principal Importance There are 943 species of principal importance included on the S41 list. These are the species founding England which have been identified as requiring action under the UK BAP. In addition, the Hen Harrier has also been included on the List because without continued conservation action it is unlikely that the Hen Harrier population will increase from its current very low levels in England.

Relationship with the UK Biodiversity List of Species and Habitats the UK BAP list of priority species and habitats is an important reference source and will be the focus for conservation action across the UK over the next decade. It has been used to draw up the species and habitats of principal importance in England under S41 of the NERC Act.

The revised UK BAP list of priority species and habitats can be downloaded from the UK Biodiversity Website: <http://www.ukbap.org.uk/NewPriorityList.aspx>

Relationship with the biodiversity duty under Section 40 of the NERC Act There is a general biodiversity duty in the NERC Act (Section 40) which requires every public body in the exercising of its functions to 'have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

There is no direct relationship between the Section 41 duty on the Secretary of State to publish the list and promote the taking of steps to conserve the habitats and species on it, and the Section 40 duty on public bodies to have regard to the purpose of conserving biodiversity. Importantly:

(a) Biodiversity, as covered by the Section 40 duty includes all biodiversity and not just the habitats and species of principal importance. However, there is an expectation that public bodies would refer to the S41 list when complying with the section 40 duty.

(b) The duty on the Secretary of State to promote the taking of steps by others is not restricted to public bodies.

Defra guidance for local authorities and public bodies on implementing the biodiversity duty in the NERC Act draws attention to the S41 list, emphasising that local authorities and public bodies have a role to play in ensuring the protection of these species and habitats. Copies of the guidance can be downloaded from: <http://archive.defra.gov.uk/environment/biodiversity/documents/pa-guid-english.pdf>