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Ecological Appraisal

Client

Goodman Logistics Developments (UK) Ltd

Project

Block H, Tottenham Commercial Park

Date

November 2026

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Rev	Issue Status	Prepared/Date	Reviewed/Date	Approved/Date
-	Final	MB/ 22.10.2025	HG/ 31.10.2025	NK / 14.11.2025

1.0 NON-TECHNICAL SUMMARY

Site Context
FPCR were commissioned by Goodman Logistics Developments (UK) Ltd. to undertake an Ecological Appraisal at Block H, Tottenham Commercial Park to identify any constraints and opportunities for the demolition of Block H and the development of a substation.. A walkover survey and desktop study were completed by FPCR to inform this assessment. The survey was completed on 8th October 2025, and a preliminary roost assessment was undertaken to assess the suitability of the building for roosting bats.
Ecological Assessment
Four statutory designated sites were found within 10km of the site boundary and one non-statutory designated sites were located within 1km of the site boundary. These are sufficiently buffered from direct impacts from the development due to the nature and scale of the proposals and the intervening distances. However, care must be taken to prevent pollution during demolition on the nearby Lee/Lea Valley SPA, Ramsar, SSSI and SINC and Walthamstow Reservoirs SSSI. The site consists of a singular building surrounded by hardstanding.. Due to the highly urban location, the Site is of very limited ecological value. The building (Block H) was well sealed with no potential roosting features, meaning it had negligible roosting bat potential. As such, bats do not pose a constraint on the proposals. The Site does not have the potential to support any other protected or notable species due to the lack of habitats and connectivity.
Conclusions and Recommendations
No further ecological surveys are required. However, if demolition does not take place within one year of this survey, an update assessment of the building may be required to ensure it has not become suitable for roosting bats. A Demolition environmental Management plan (DEMP) has been prepared in anticipation of the works, which will ensure that there is no pollution on surrounding habitats and nearby designated sites.

2.0 INTRODUCTION

2.1 The following Ecological Appraisal has been prepared by FPCR Environment and Design Ltd. (FPCR) on behalf of the Goodman Logistics Developments (UK) Ltd to support a planning application for Block H, Tottenham Commercial Park (Central OS Grid Ref: TQ 35352 91513) herein referred to as 'the Site'.

Site Context

2.2 The Site forms part of Tottenham Commercial Park, situated in Tottenham, North London. It is in an urban landscape with industrial and commercial areas to the north, west and south. Lee Valley SPA and Ramsar lies 0.6 km to the southeast of the Site. The Site is bordered by Leeside Road to the North and an area of hardstanding to the east.

2.3 The Site itself consists of a single building (Block H) surrounded by hardstanding. **Site Proposals**

2.4 The proposals are to demolish Block H and the develop a substation.

Report Aims and Objectives

2.5 This report has been prepared to achieve the following objectives:

- Present the findings of the preliminary protected species assessment;
- Identify the likely ecological constraints associated with the proposed development;
- Identify the habitat retention, mitigation and/or compensation measures likely to be required;
- Identify the opportunities available within the proposals to deliver ecological enhancement.

3.0 LEGISLATION AND POLICY

3.1 Detail on the relevant national and local policy and legislation for ecology in relation to development sites are provided in *Appendix A*. The national policy and legislation most relevant to this assessment include:

- The Conservation of Habitats and Species Regulations (CHSR) 2017, as amended, in relation to Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and European Protected Species (EPS).
- The Wildlife and Countryside Act 1981 (as amended) (WCA) in relation to Sites of Special Scientific Interest (SSSIs), Ramsar sites and WCA protected species.
- Environment Act 2021 (EnvA 21) in relation to Biodiversity Net Gain (BNG).
- Protection of Badgers Act 1992 (Badger Act).
- Natural Environmental and Rural Communities Act 2006 (NERC) in relation to habitats and species of principal importance.
- Hedgerow Regulations 1997 made under Section 97 of the Environment Act 1995 (Hedge Regs).

3.2 National Planning Policy Framework (NPPF) 2026 which sets out the government's planning policy for England including measures to conserve and enhance the natural environment by protecting and enhancing value landscapes, recognising the value and wider benefits of natural capital and minimising impacts/providing net gains for biodiversity; A review of the Haringey Local Plan Strategic Policies (2013-2026) and Development Management DPD (2017) has been conducted. The following policies address the Local Authority's obligations in relation to statutory protected sites, non-statutory protected sites, protected species, species and habitats of principle importance, and non-native species:

- Policy SP13 – Open Space and Biodiversity
- Policy DM19 – Nature Conservation

4.0 METHODOLOGY

Desktop Study

4.1 To compile existing baseline information, relevant ecological information was gathered from:

- Greenspace Information for Greater London (GiGL)
- Multi Agency Geographic Information for the Countryside (MAGIC) website (www.magic.defra.gov.uk)
- Satellite imagery from Google Earth (www.maps.google.co.uk)

4.2 The search area around the Site for biodiversity information, in relation to zones of influence and species significance, were as follows:

- 10km for sites of International Importance e.g. SACs, SPAs, Ramsar sites.
- 2km for sites of National or Regional Importance e.g. SSSIs and species records e.g. protected and notable species.
- 1km for sites of County Importance e.g. Local Wildlife Sites (LWS).

Habitat Survey

4.3 A systematic walkover of the Site was completed on 8th October 2025 by FPCR ecologists to classify the broad habitat types present, based on the UK Habitat (UKHab)[1] methodology.

4.4 Consideration was given to the presence of invasive species listed on Schedule 9 of the WCA and the presence of any notable weeds including those covered under the Weed Act 1959 (where population is significant enough to be considered injurious).

Building Assessment

4.5 A preliminary roost assessment (PRA) of the building was also carried out on 8th October 2025 by suitably experienced ecologists, in line with guidance[2]. This included an internal and external assessment of the building to identify any bat evidence as well as any potential roosting features (PRFs).

4.6 The building exterior was visually assessed for PRFs, access points and evidence of bat activity and presence. Features looked for included small gaps under barge/soffit/fascia boards, raised or missing roof tiles and gaps at gable ends. Evidence of recent bat activity includes staining or bat droppings beneath gaps.

4.7 The building interior was visually assessed, where access was possible, for evidence of bat activity and/or the potential to be used by bats using a high-powered torch. Evidence of a roost was searched for, including the presence of live/dead bats, droppings, food remains such as insect wings, scratch marks and/or staining.

4.8 The building was then categorised according to its likely suitability for supporting bat roosts on a scale ranging from negligible to high, based on the BCT guidelines:

[1] UK Habitat Classification Version 2.0: https://www.ukhab.org

[2] Collins, J. (2023) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition).* The Bat Conservation Trust, London.

Table 1: Bat Roost Potential Categories for Buildings

Categories	Description	Further Surveys Required
Confirmed Roost	Evidence of roosting bats in the form of live/dead bats, droppings, urine staining, fur oil staining etc.	Three dusk emergence surveys at least three weeks apart between May-September and at least one between May-August. Where classic hibernation potential is present, hibernation surveys should be undertaken during the winter period.
High Potential	A structure with one or more PRFs that are obviously suitable for large numbers of bats on a more regular basis and/or longer duration due to their size, shelter, suitable conditions (height above ground, light levels, etc), and surrounding habitat. These structures have the potential to support high conservation status roosts such as those used for maternity or hibernation (classic site).	
Moderate Potential	A structure with one or more PRFs which could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only; the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).	Two dusk emergence surveys between May-September – at least one between May-August. Surveys undertaken at least 3 weeks apart. Precautionary method statement if works undertaken during winter (where non-classic hibernation potential exists).
Low Potential	A structure with one or more PRFs that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by large numbers of bats.	One dusk emergence survey between May-August (requirement based on professional judgement) Precautionary method statement if works undertaken during winter (where non-classic hibernation potential exists).
Negligible Potential	No obvious habitat features present that are likely to be used by roosting bats, but features may be present where a bat could theoretically roost, but it is considered very unlikely.	No further surveys required, but some vigilance may be required if the feature is impacted.
None	No habitat features on site that are likely to be used by bats at any time of year.	None
A classic hibernation site is considered to provide stable climatic conditions including temperature, humidity, and light levels, such as, but not limited to, underground structures which are subject to low levels of disturbance or specific-specific habitual requirements, e.g. brown long eared bats often use the same roost for maternity and hibernation. A non-classic hibernation site is a location which does not conform to the criteria for classic cites but could be used by individual hibernating bats. It is usually not possible to identify non-classic hibernation sites through survey work.		

Other Species Assessment

4.9 At the same time as the building assessment, observations and signs of any species protected under the following list of Acts and Regulations (collectively referred to herein as 'protected species') were recorded:

- The CHSR 2017 (as amended).
- The WCA 1981 (as amended).
- The Protection of Badgers Act 1992.

4.10 Consideration was also given to the existence and use of the site by other fauna listed as one or more of the following (collectively referred to herein as 'notable species'):

- Species of Principal Importance (SPI) for the conservation of biodiversity in England listed in S41 of the NERC Act 2006.
- Red Data Book (RDB) and Red List species.

- Birds of Conservation Concern 5 (BoCC)[3].
- Species listed on any Local Biodiversity Action Plan (LBAP) initiatives.
- Nationally scarce/notable invertebrate species[4].

4.11 The likely presence or absence of protected and notable species has been assessed against several factors outlined in *Table 2*:

Table 2: Assessment Criteria for Presence/Likely Absence of Protected/Notable Species

Presence Likelihood	Criteria
Negligible	The site offers no suitable habitat; it is isolated from known areas of suitable habitats/species presence; displays no evidence of use by the species; is outside the known distribution for the species; and/or there are no desk study records.
Low	The habitats present are of poor-moderate suitability; there is limited or restricted connectivity to areas of suitable offsite habitat or areas of known presence; it is in a location where the species is known to be sparse; the desk study records indicate the presence of the species in small-moderate numbers.
Moderate	The habitats present are of moderate-high suitability; it is clearly connected to suitable offsite habitat or areas of known presence; the site is in a location where the species is known to be well distributed; the desk study records indicate the presence of the species in moderate-good numbers.
High	The habitats present are of optimal suitability; the site is adjacent to areas of suitable offsite habitat or areas with known presence; it is in a location where the species is known to be well distributed; there are field signs that the species has been present on site; desk study records indicate species presence on or within the immediate vicinity of the site historically.
Present	The species was observed using the site during the habitat survey; or, where appropriate, field signs indicate the regular use of the site, e.g. the presence of an active badger sett.

[3] Stanbury, A.J. *et al.* (2021) The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. British Birds, 114: 25.

[4] English Nature (2011) Organising surveys to determine site quality for invertebrates – A framework guide for ecologists. Peterborough.

5.0 RESULTS

Desktop Study

5.1 There are two internationally designated sites within 10km of the Site and two nationally designated sites within 2km. These are shown in *Figure 1* and summarised in *Table 3*:

Table 3: Statutory Designated Sites within the Desktop Study Search Area

Site Name	Distance from Site at Closest Point	Description (as provided by Natural England, JNCC)
Lee/Lea Valley SSSI, SPA and Ramsar	0.64km south	The Lee Valley is made up of water supply reservoirs, sewage treatment lagoons and former gravel pits that form a range of wetland and valley bottom habitats. The site qualifies as an SPA as it supports a population of bittern *Botaurus stellaris*, shoveler *Anas clypeata* and gadwall *Anas strepera*. The Lee Valley meets the criteria of a Ramsar as it supports the nationally scarce plant species whorled water-milfoil *Myriophyllum verticillatum* and the rare invertebrate *Micronecta minutissima*.
Walthamstow Reservoirs SSSI	0.64km south	Waltham Reservoirs comprises ten small, shallow water storage basins, several of which are fringed by small sloping earth banks. They support nationally significant populations of wildfowl and other wetland birds. The site also features fenland vegetation species that are uncommon in Greater London.
Chingford Reservoirs SSSI	1.62km north-east	The Site encompasses a series of drinking water storage basins constructed on the floor of the Lee Valley. The site regularly supports nationally important populations of shoveler and great crested grebe.
Epping Forest SAC	3.39km east	Epping Forest is a large ancient wood-pasture with ancient semi-natural woodland, old grassland plains, wet and dry heathland and scattered wetland. It qualifies as a SAC due to the present of the following habitats: beech forests on acid soils, European dry heaths, northern Atlantic wet heaths with cross leaved heath. It also hosts stag beetle which are an Annex II qualifying species.

5.2 There is one locally important designation within 1km of the Site: Lee/Lea Valley Site of Importance for Nature Conservation (SINC), approximately 0.64km south-east.

5.3 Protected and notable species records provided by GiGL within 2km of Site and relevant to the habitats on Site are summarised below:

Table 4: Protected and Notable Species within the Desktop Study Search Area

Species	Legislation & Policy	No. of Records	Closest Record to Site	Most Recent Record Year
Bats				
Common Pipistrelle *Pipistrellus pipistrellus*	CHSR, WCA	10	750m S	2017
Daubenton's Bat *Myotis daubentonii*	CHSR, WCA	2	750m S	2017
Leisler's Bat *Nyctalus leisleri*	CHSR, WCA	2	890m S	2017
Nathusius's Pipistrelle *Pipistrellus nathusii*	CHSR, WCA	7	890m S	2017
Noctule Bat *Nyctalus noctula*	CHSR, WCA, NERC	4	740m S	2016
Soprano Pipistrelle *Pipistresllus pygmaeus*	CHSR, WCA, NERC	4	740m S	2017

Species	Legislation & Policy	No. of Records	Closest Record to Site	Most Recent Record Year
Reptiles				
Grass Snake *Natrix helvetica*	WCA, NERC	3	390m S	2020
Mammals (excl. bats)				
European Water Vole *Arvicola amphibius*	WCA, NERC	3	420m SE	2017
West European Hedgehog *Erinaceus europaeus*	NERC	1	790m SE	2014
Birds				
Black Redstart *Phoenicurus ochruros*	WCA	14	950m E	2021
Firecrest *Regulus ignicapilla*	WCA	8	470m S	2019
Redwing *Turdus iliacus*	WCA	108	570m SE	2022
Fieldfare *Turdus pilaris*	WCA	68	290m SE	2022
House Sparrow *Passer domesticus*	NERC	72	980m S	2022
Invasive, Non-native species				
Ring-necked Parakeet *Psittacula krameri*	WCA, LISI[5]	116	260m S	2022
Tree-of-heaven *Ailanthus altissima*	WCA, LISI	17	150m W	2020
Butterfly-bush *Buddleja davidii*	WCA, LISI	42	680m S	2017
Tree Cotoneaster *Cotoneaster frigidus*	WCA, LISI	1	700m NW	2020
Japanese Knotweed *Fallopia japonica*	WCA, LISI	18	690m NW	2017
Giant Hogweed *Heracleum mantegazzianum*	WCA, LISI	3	420m NW	2007
Orange Balsam *Impatiens capensis*	WCA, LISI	2	350m SE	2016
Himalayan Balsam *Impatiens glandulifera*	WCA, LISI	10	500m SE	2014

Habitats

5.4 The Site comprised a large industrial building and an area of hardstanding.

Building Assessment

5.5 Block H is a singular building split internally into three separate units: H1, H2 and H3. The building was constructed of breeze blocks with metal cladding and a single metal sheet flat roof with skylights. The building was well sealed, with no gaps in the metal exterior. Gaps around the door frames had been filled in with foam, preventing entry by bats.

[5] London Biodiversity Partnership (2007) London Invasive Species Initiative: Species of Conservation Concern. Available at: www.lbp.org.uk/LISI.html

5.6 No bat evidence was identified externally or internally, and it was deemed the building does not have potential to support roosting bats due to being well sealed. Descriptions of each unit in Block H are summarised below:

Table 5: Building Roost Assessment Summary

Unit	Description	Bat roost potential	Further work required
H1	The largest of the three units and currently in use. Interior of warehouse made from breeze blocks with metal sheet roof. It was well-sealed with no roof void present. The office and reception areas were sectioned off by brick and wooden panelling. False ceilings were present above these areas but were well-sealed. The wooden shed area built inside of the warehouse was also well sealed with no cavities for potential roosting bats.	Negligible	None
H2	Unit H2 is currently vacant allowing for an easier view of the warehouse area. No roof void was present, and skylights meant that the inside is bright during daylight hours. The office and reception area was very similar to Unit H1 with a well-sealed roof void preventing access by bats.	Negligible	None
H3	Identical to H2, however, it was in use by a business. No entry points or roof void were present in the warehouse and the roof void in the office area was well sealed without opportunity for bats to enter.	Negligible	None

Other Species Assessment

5.7 The Site does not have the ability to support a wide range of other protected and notable species due to the small size of the Site and the dominance of buildings and hardstanding. An assessment of other species likely presence/absence is summarised below:

Table 6: Other Species Potential Summary

Species/Group	Site Suitability	Conclusion
Badger	There is no suitable habitat for badgers on site and no evidence, such as setts and latrines was found.	Not present
Bats – Foraging and Commuting	No hedgerows, trees or scrub are present on Site, only the small strip of vegetation along the northern boundary. This creates limited opportunity for commuting or foraging bats. The extensive lighting on Site would also discourage many bat species which are light averse.	Negligible
Birds	Block H is too well sealed to support nesting birds. The bushes situated in the strip of greenery along the north of the building do have potential to support nesting birds.	Low nesting bird potential
Reptiles	The grass and shrubs on Site are not considered suitable for reptiles due to their isolation, very limited extent and regular management.	Not present
Invasive Non-Native Species	No invasive non-native species have been identified on Site.	Not present
Invertebrates	The dominance of hardstanding and the surrounding urban context limit the potential for rarer invertebrate species on Site. The habitats on Site were also very limited in extent and did not provide sufficient niches, mosaics or structural diversity to support an important invertebrate assemblage.	Rare or important assemblage not present

6.0 DISCUSSION

6.1 The proposals will result in the demolition of Block H to allow for the development of an electricity substation in the area currently occupied by the building.

Designated Sites

6.2 The Chingford Reservoirs SSSI and Epping Forest SAC are situated over 1km from Site. Given the scale and nature of the proposed demolition and redevelopment and the intervening distances, it is considered there will be no significant impacts on these designations.

6.3 The Lee/Lea Valley SPA, Ramsar, SSSI and SINC and Walthamstow Reservoirs SSSI are located approximately 0.64km south of Site. Given the intervening distances and the nature and scale of the proposals, no direct impacts are anticipated on these designations. However, there is potential for indirect impacts in terms of pollution. Pymmes Brook lies within 100m east of the Site, which connects to the River Lee/Lea further south.

6.4 During the demolition, measures to prevent pollution on surrounding habitats and nearby designations will be addressed by the Demolition Environmental Management Plan (DEMP).

Biodiversity Net Gain and Habitat Enhancements

6.5 The proposed development is exempt from the statutory requirement to achieve a minimum 10% Biodiversity Net Gain (BNG), as the development falls within the de minimis exemption. There were no existing habitats within the Site boundary and the proposed development does not impact any priority habitat or habitats of high ecological value. Consequently, the statutory BNG requirement does not apply to the proposed development.

6.6 Despite the Site being exempt from statutory BNG, there is a duty under NPPF's policy N2 (2026) to improve the natural environment and contribute positively to the natural environment. This will see new habitats created that are more diverse than that previously recorded, and will be under appropriate management to ensure their value in maintained.

Bats

6.7 The building on Site was found to have negligible potential to support roosting bats due to the lack of PRFs or entry points. As such, no further surveys are required, and bats are not considered a constraint to the development.

6.8 If demolition has not taken place within one year of this survey, an update survey may be required to ensure the building has not become suitable for roosting bats.

Birds

6.9 The building on Site was unsuitable to support nesting birds. There were no suitable covered crevices to support nests made by species such as black redstart.

Enhancements

6.11 The proposal is exempt from Biodiversity Net Gain. Enhancements that will improve the biodiversity value of the strip of vegetation to the north and could includecould include the installation of bird boxes and bug houses next to the retained vegetation.

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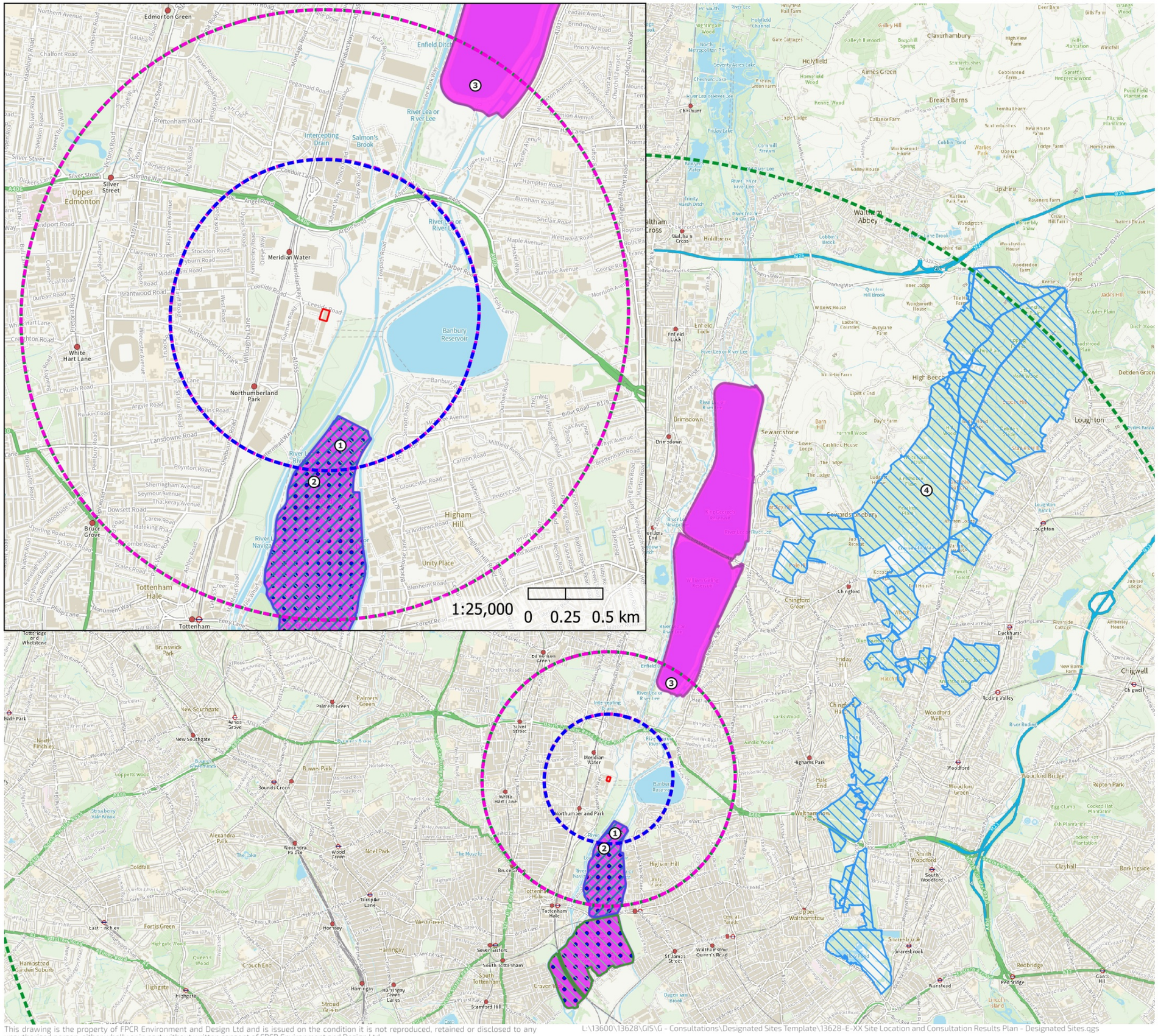

Ref.	Name	Designation
1	Lee Valley	SINC, SSSI, RAMSAR, SPA
2	Walthamstow Resivoirs	SSSI
3	Chingford Resivoirs	SSSI
4	Epping Forest	SAC

date 02/11/26

drwn/chkd MB

client
Goodman Logistics Developments (UK) Ltd.

project
Block H,
Tottenham Commercial Park

title
SITE LOCATION AND CONSULTATION RESULTS PLAN - DESIGNATED SITES

scale 1:60,000 @ A3

number
FIGURE 1

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APPENDIX A: RELEVANT LEGISLATION, POLICY AND GUIDANCE

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

1.1 The CHSR ratifies into UK law the "Habitats Directive" (92/43/EEC) and the "Birds Directive" (79/409/EEC).

European Protected Sites

1.2 The CHSR places a duty on the Secretary of State to propose a list of sites which are important for species listed in Annex I and II of the Habitats Directive respectively to the European Commission. Once the Commission and EU Member States have agreed that the sites submitted are worthy of designation, they are identified as Sites of Community Importance (SCIs). The EU Member States must then designate these sites as Special Areas of Conservation (SACs) within six years.

1.3 The CHSR requires the compilation and maintenance of a register of European sites to include SACs as well as Special Protection Areas (SPAs) designated for birds. The SACs and SPAs under the CHSR are referred to as national site networks, Ramsar sites are of international importance and do not form part of the national site networks; but boundaries might overlap SAC and SPA designations.

European Protected Species

1.4 The CHSR includes a list of animals and plant species taken from the Annex IV of the Habitats Directive that have a natural range in Great Britain. These are collectively known as European Protected Species (EPS) and are listed in *Table 1*. The regulations make it an offence to deliberately capture, kill, disturb, take or destroy eggs of, or damage or destroy a breeding or resting place of animals listed in Schedule 2 of the Regulations, and to pick, collect, cut, uproot or destroy wild plants listed in Schedule 5 of the Regulations. They also protect these species alive or dead and parts thereof from various forms of possession and trade.

1.5 These actions may be made lawful in certain circumstances through the granting of licences by the appropriate authority (Natural England). Licences must only be granted after the appropriate authority is satisfied that no satisfactory alternatives are available. In most circumstances, licences are only applied for and granted following full planning permission.

1.6 In determining whether or not to grant a licence, Natural England must apply the requirements of the CHSR and, in particular, the three derogation tests:

- Test 1: A licence can be granted for the purposes of "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment".
- Test 2: The appropriate authority shall not grant a licence unless they are satisfied "that there is no satisfactory alternative".
- Test 3: The appropriate authority shall not grant a licence unless they are satisfied "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Table 1: The Habitats Regulations Schedule 2 and Schedule 5 species

	Common Name	Scientific Name
Schedule 2 – European Protected Animal Species	Horseshoe bats – all species	*Rhinolophidae*
	Bats – all species	*Vespertilionidae*
	Large blue butterfly	*Maculinea arion*
	Wild cat	*Felis silvestris*
	Dolphins, porpoises & whales - all species	*Cetacea*
	Hazel dormouse	*Muscardinus avellanarius*
	Pool frog	*Rana lessonae*
	Sand lizard	*Lacerta agilis*
	Fisher's estuarine moth	*Gortyna borelii lunata*
	Great crested newt	*Triturus cristatus*
	Otter	*Lutra lutra*
	Lesser Whirlpool Ram's-horn snail	*Anisus vorticulus*
	Smooth snake	*Coronella austriaca*
	Sturgeon	*Acipenser sturio*
	Natterjack toad	*Bufo calamita*
	Marine turtles	Caretta caretta Chelonia mydas Lepidochelys kempii Eretmochelys imbricata Dermochelys coriacea
Schedule 5 – European Protected Plant Species	Shore dock	*Rumex rupestris*
	Killarney fern	*Trichomanes speciosum*
	Early gentian	*Gentianella anglica*
	Lady's-slipper	*Cypripedium calceolus*
	Creeping marshwort	*Apium repens*
	Slender naiad	*Najas flexilis*
	Fen orchid	*Liparis loeselii*
	Floating-leaved water plantain	*Luronium natans*
	Yellow marsh saxifrage	*Saxifraga hirculus*

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

1.7 The WCA 1981 (as amended) is the principal legislation providing protection for wildlife in the UK. It prescribes legislation for wild birds, other animals, wild plants and non-native species. In addition, it provides for the designation of Sites of Special Scientific Interest (SSSI) in England.

Wild birds

1.8 The WCA as amended by Schedule 12 of the Countryside and Rights of Way Act 2000 makes it an offence (with exception to species listed in Schedule 2) to intentionally or recklessly:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built (also [take, damage or destroy the nest of a wild bird included in Schedule ZA1] under the Natural Environment and Rural Communities Act 2006); or
- take or destroy an egg of any wild bird.

1.9 For birds listed on Schedule 1 of the WCA, protection extends to offences relating to the intentional or reckless disturbance of these birds while at their nests or their dependent young.

Other animals

1.10 The WCA (as amended) makes it an offence to (subject to exceptions) intentionally or recklessly kill, injure or take wild animals listed on Schedule 5 of the Act. For some species, the protection extends to interference with places used for shelter or protection, or disturbing animals occupying or obstructing access to such places. These species are regarded as "fully protected" and as well as the EPS species listed above include the mammal species water vole *Arvicola terrestris*, pine marten *Martes martes* and red squirrel *Sciurus vulgaris* as well as selected others from a range of species groups including, fish, butterflies, hemipteran bugs, beetles, crickets, dragonflies, moths, spiders, crustaceans, sea-mats, molluscs, Annelid worms and sea anemones (and allies).

1.11 There are seven species on Schedule 5 of the Act that not fully protected but are still protected against killing and injuring these include the common reptile species slow worm *Anguis fragilis*, viviparous lizard *Lacerta vivipara*, grass snake *Natrix natrix* and adder *Vipera berus*.

1.12 The Act prohibits certain methods of killing, injuring, or taking wild animals, and numerous species are protected against sale only as well as other variations for example Atlantic stream (white-clawed) crayfish *Austropotamobius pallipes* are protected against taking and sale.

Vascular plants, bryophytes, lichens and fungi

1.13 With regards to native flora the Act makes it an offence to (subject to exceptions) intentionally or recklessly pick, uproot or destroy any wild plant listed in Schedule 8. Similarly, the Act prevents the sale, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

Non-native species

1.14 The Act contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9 in England and Wales.

Sites of Special Scientific Interest

1.15 The Act provides for the notification and confirmation of Sites of Special Scientific Interest (SSSIs). These sites can be identified for their flora, fauna, geological or physiological interest. In England, the power to confirm an SSSI lies with Natural England.

1.16 Laws protecting areas designated as SSSIs are described in Sections 28 to 33 of Part 2 of the Wildlife and Countryside Act 1981 (as amended). SSSIs are the principle statutory designation of sites in the UK and offences are enforced through Natural England. Offences include the following:

SSSI owners and occupiers

- carrying out, causing or allowing operations likely to damage an SSSI without Natural England consent.
- failing to keep to a management notice.
- failing to let us know about a change in ownership or occupation of land in an SSSI.

Public bodies

- carrying out or authorising operations likely to damage an SSSI without meeting the requirements to notify Natural England.

- failing to minimise any damage to an SSSI and if there is any damage, failing to restore it to its former state so far as is reasonably practical and possible.

Any person

- intentionally or recklessly damaging, destroying or disturbing any of the habitats or features of an SSSI.
- intentionally or recklessly damaging, destroying, obscuring or taking down a site notice put up on land within an SSSI.
- preventing a Natural England officer lawfully accessing an SSSI.

Environment Act 2021

1.17 The act was passed on 10th November 2021 and covers a range of environmental protections and enhancements. It is enforced by an independent Office for Environmental Protection (OEP). In relation to nature and biodiversity, the act will deliver:

- Strengthened biodiversity duty
- A requirement for developments to deliver at least 10% biodiversity net gain
- Local Nature Recovery Strategies
- Protected Site Strategies and Species Conservation Strategies
- Conservation Covenants
- Strengthened woodland protection enforcement measures

Protection of Badgers Act 1992

1.18 Badgers and their setts are protected under the Protection of Badgers Act 1992. This act is based on the need to protect badgers from persecution by baiting and deliberate harm or injury. The act makes it an offence to:

- intentionally capture, kill or injure a badger;
- damage, destroy or block access to their setts;
- disturb badgers in setts;
- treat a badger cruelly;
- deliberately send or intentionally allow a dog into a sett; and
- bait or dig for badgers.

1.19 A sett is defined as: *"Any structure or place that displays signs indicating current use by a badger".*

Natural Environmental and Rural Communities (NERC) Act 2006

1.20 Section 40 of the NERC Act 2006 imposes a duty on every public authority to conserve biodiversity in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

1.21 Section 41 (S41) of the NERC Act 2006 requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. The list (including 56 habitats and 943 species) has been drawn up in consultation with Natural England and draws upon the UK BAP List of Priority Species and Habitats. The S41 list is 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.

National Planning Policy Framework (NPPF) 2026

1.22 The National Planning Policy Framework (NPPF) sets out the Government's planning policy for England. As such, the NPPF must be a material consideration for local authorities when considering planning decisions.

1.23 A new NPPF has recently been published (17th August 2026)[1]. Chapters 2 and 3 set out general procedural policies for plan-making and decision-making, respectively. The subsequent chapters contain policies on thematic issues, separated in each case into policies for plan-making and those for decision-making. In relation to ecology/biodiversity, these include Chapter 4 (Achieving Sustainable Development), Chapter 5 (Meeting the challenge of climate change) and Chapter 19 (Conserving and Enhancing the Natural Environment). Each are summarised below.

3. Decision-making policies

1.24 Decision-making policies relating to ecology/biodiversity now include parts of DM1 and DM2, as summarised below:

<u>DM1: Preparing development proposals</u>

1.25 This decision-making policy states, when preparing planning proposals:

1. *"Proposals for major development should:*
    a. *Be informed by early engagement with neighbours and the local community, as well as with the local planning authority, statutory consultees, infrastructure providers, registered providers of social housing and other relevant bodies where appropriate, to identify and seek to resolve key planning matters prior to the submission of a planning application. This pre-application engagement should be proportionate to the nature of the proposal and those likely to be affected by it…"*

<u>DM2: Information requirements</u>

1.26 This decision-making policy states, when preparing planning proposals:

1. *"To ensure a clear and consistent approach to the information required to determine development proposals, local validation lists setting out the information required in support of an application for development should include the information specified in the relevant national decision-making policies (summarised in Annex C)…."*

[1] https://www.gov.uk/guidance/national-planning-policy-framework

DM4: Emerging development plan proposals

1. *"When preparing and considering development proposals, relevant policies in emerging development plans may be given weight …"*

4. Achieving Sustainable Development

1.27 National decision-making policies include:

S3: Presumption in favour of sustainable development

1. *"Decisions on development proposals should apply a presumption in favour of sustainable development. This means:*
    a. *Policy S4 in this Framework should be applied when considering development proposals within settlements;*
    b. *Outside settlements, policy S5 should be applied; and*
    c. *In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.*
2. *Where a development proposal falls partly within and partly outside a settlement, policies S4 and S5 should be applied to the relevant parts which are inside or outside of the settlement boundary (as appropriate), before coming to an overall view on the proposal."*

S4: Principle of development within settlements

1. *"Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.*
2. *In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:*
    a. *Have a substantial adverse impact in relation to:*

        …

        ii. The application of the policies in this Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)).

        …

    c. *Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances."*

S5: Principle of development outside settlements

1. *"Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:*

a. Development for: agriculture, horticulture and forestry; outdoor sport and recreation; allotments; cemeteries and burial grounds; mineral extraction and processing; engineering operations and infrastructure (including for transport, energy, water and telecommunications); roadside facilities in accordance with policy TR5; national defence and security; or which is solely for nature conservation, restoration and/or enhancement;

…

i. The development of land allocated for that purpose in the development plan (where this lies outside settlements)…

2. In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

…

5. This policy does not apply to development proposals in the Green Belt or on land designated as Local Green Space, which should instead be determined in accordance with policies HC8, GB6, GB7 and/or GB8 (as appropriate)…"

Meeting the challenge of climate change

CC2: Mitigation of Climate Change

1.28 This decision-making policy states:

1. "In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal:

…

1. Contribute to the creation or restoration of habitats which can act as carbon stores, such as through woodland planting and peatland restoration, while avoiding harm to habitats which can act as important carbon stores, including peatland and salt marsh…"

CC3: Adaptation to Climate Change

1.29 This decision-making policy states:

1. "Development proposals should take into account the current and potential impacts of climate change over the lifetime of the scheme, and in order to minimise vulnerability to these impacts should, where relevant to the proposal:

d. … include green infrastructure and suitable tree planting in accordance with policies DP3(2)(c) and N3; and

e. Incorporate proportionate measures to mitigate against wildfires, where opportunities to do so exist and wildfires pose a particular risk (for example as a result of the combined effect of topography, prevailing wind direction and being located within or adjacent to heavily vegetated areas). Such measures should be designed to limit fuel loads for fires, and to create defendable spaces, such as by avoiding timber panel

fences and incorporating firebreaks into development layouts and planting schemes…."

Conserving and Enhancing the Natural Environment

1.30 There are six policies relating to the conservation and enhancement of the natural environment. The aim of these policies are:

"to influence the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth"

1.31 The sole plan-making policy – N1 identifying environmental opportunities and safeguards – states:

1. *"Development plans should safeguard and enhance the natural environment, and reflect the wider benefits from natural capital and ecosystem services, by using Local Nature Recovery Strategies, Protected Landscape Management Plans, River Basin Management Plans, National Forest Strategies, Community Forest Plans and other relevant evidence at the most appropriate level to:*
    a. *Set out the hierarchy of international, national and locally designated sites and areas of importance for their landscape, geodiversity or biodiversity value in the plan area, and identify other features which require particular consideration in managing development due to their environmental value such as chalk streams;*
    b. *Identify opportunities for the conservation, enhancement and recovery of landscapes, sensitive waterbodies, habitats and priority or threatened species, including through habitat restoration, the use of nature-based solutions, and the creation and strengthening of ecological networks that are more resilient to current and future pressures (including opportunities which exist at a catchment or landscape scale across plan boundaries);*
    c. *Steer the location of development, including through site allocations, in ways which utilise land of least environmental value where that would be consistent with other policies in this Framework. This should include limiting the scale and extent of development within Protected Landscapes, avoiding the use of higher quality agricultural land where land of poorer quality is available and avoiding and minimising harm to designated sites of importance for nature. Areas which could become of particular importance for nature identified in Local Nature Recovery Strategies should be taken into account as opportunities to integrate development with environmental restoration, but should not necessarily preclude the allocation of land for development; and*
    d. *Set out standards for green infrastructure provision, in a way which complements and/or incorporates those for recreational land (as set out in policy HC1). These should draw upon Natural England's Green Infrastructure Standards for England, tailored as necessary to local circumstances.*
2. *Development plans should only set local standards for biodiversity net gain which are in excess of the statutory net gain requirement where this is for specific site allocations, and*

is fully justified and deliverable. Local standards should not extend to categories of development which are exempt from statutory biodiversity net gain."

1.32 The remaining policies – N2 to N6 – relate to national decision-making rather than plan-making.

Policy N2: improving the natural environment, states:

1. *"To contribute positively to the natural environment, and support nature's recovery, development proposals should:*
    a. *Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply);*
    b. *Take into account the quality of agricultural land (including that classified as best and most versatile agricultural land, and its grade), and if significant development of agricultural land is necessary, use areas of poorer quality land where possible;*
    c. *Take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies, National Forest Strategies and Community Forest Plans, where present, and other relevant assessments;*
    d. *Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings;*
    e. *Use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits: such as for biodiversity; surface water and pollution management (including maintaining flow rates and water quality); climate change mitigation and adaptation, and recreation;*
    f. *Minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective; and*
    g. *Ensure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management.*
2. *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 the development should be refused.*
3. *Development proposals may incorporate biodiversity enhancements which exceed the statutory objective for biodiversity net gain, but this should only be a requirement where it is set out in up-to-date development plan policies for specific site allocations. Decisionmakers should not give weight to other development plan policies which require biodiversity gains which go beyond the statutory framework, including where a policy requires gains for development proposals which are exempt."*

Policy N3: Trees in new development, states:

1. *"In recognition of the benefits which trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, development proposals should:*

    a. *Make new streets tree-lined (unless there are strong reasons why this would be inappropriate in specific streets), and incorporate trees in other suitable locations, such as in parks and through the provision of community orchards;*

    b. *Ensure that the selection of species and their placement is compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and will be effective in helping to adapt to the effects of climate change and delivering other environmental benefits. Suitable arboricultural advice should be sought, and proposals discussed with highways and trees officers where necessary, so that the right trees are planted in the right places; and*

    c. *Make provision for the long-term maintenance of both existing and newly-planted trees which form part of the development."*

Policy N4: Protected Landscapes, states:

1. *Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads.*

2. *Proposals for major development within Protected Landscapes should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. To inform a decision about whether exceptional circumstances exist, consideration of such proposals should include an assessment of:*

    a) *The need for the development, including in terms of any national considerations such as maintaining a sufficient supply of minerals, and the impact of permitting it, or refusing it, upon the local economy;*

    b) *The cost of, and scope for, developing outside the Protected Landscape, or meeting the need for the development in some other way; and*

    c) *Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which it could be moderated.*

3. *Where, exceptionally, proposals for major development are approved within Protected Landscapes, steps should be taken to mitigate potential adverse impacts on their special qualities and statutory purposes60, including on features such as tranquillity and dark skies.*

4. *Development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape."*

Policy N5: Maintaining the character of the coast, states:

1. *"Development proposals should maintain the character of undeveloped areas of coast, including land designated for its landscape, habitat or heritage value, while improving*

public access to it where appropriate. They should not hinder the completion and maintenance of a continuous signed and managed route around the coast (the King Charles III England Coast Path National Trail).

2. *Development proposals in areas defined as Heritage Coast (and which do not already fall within a Protected Landscape) should be consistent with the special character of the area and the importance of its conservation. Major development within areas defined as Heritage Coast should not be supported, unless the development is compatible with the special character of the area.*

3. *If located within a Coastal Change Management Area, development proposals should also be considered against policy F9."*

Policy N6: Areas of particular importance for biodiversity and geodiversity, states:

1. *"To support the conservation of important habitats, species and sites of geodiversity value, development proposals affecting:*

    a) A site of international importance, which for the purpose of this policy is a habitats site, should be refused unless:

        i. An appropriate assessment has concluded that the proposal will not adversely affect the integrity of the site (either individually or in combination with other developments), or the proposal can satisfy the derogation tests; and/or

        ii. The impact of development on the relevant protected features of the protected site is being addressed through an Environmental Delivery Plan which has been made and the developer has committed to paying the nature restoration levy.

    b) A site of national importance, which for the purpose of this policy is one designated as a Site of Special Scientific Interest, should only be supported if:

        i. There would be no adverse effect (either individually or in combination with other developments) on the site's features of special scientific interest; or

        ii. The benefits of the development in the location proposed clearly outweigh both the likely impact on the features of special scientific interest, and any broader impact on the national network of Sites of Special Scientific Interest; or

        iii. The impact of development on the relevant protected feature of the protected site is being addressed through an Environmental Delivery Plan which has been made and the developer has committed to paying the nature restoration levy

    c) A site of local importance, which for the purpose of this policy is one designated as a Local Nature Reserve or identified as a local wildlife site, local geological site or equivalent in the development plan, should only be supported if:

        i. There would not be a significant adverse effect on the integrity of the site; or

        ii. The benefits of development in the location proposed clearly outweigh the likely impact on the features which make the site valuable for nature conservation.

2. *Irrespective of a site's status in nature conservation terms, development proposals which would entail 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.*
3. *This policy applies to development on land inside or outside a designated area, if it would have an impact on the identified biodiversity or geodiversity value of the area concerned."*

APPENDIX B: SITE PHOTOGRAPHS



Photo 1: Exterior of Block H, Unit H1 from north- eastern corner of site



Photo 2: External western side of building - Front of Units H2 and H3



Photo 3: Eastern side of Block H



Photo 4: Modified grassland and introduced shrub along northern boundary



Photo 5: H2 empty warehouse area



Photo 6: Roof void of H1



Photo 7: Roof void of H1

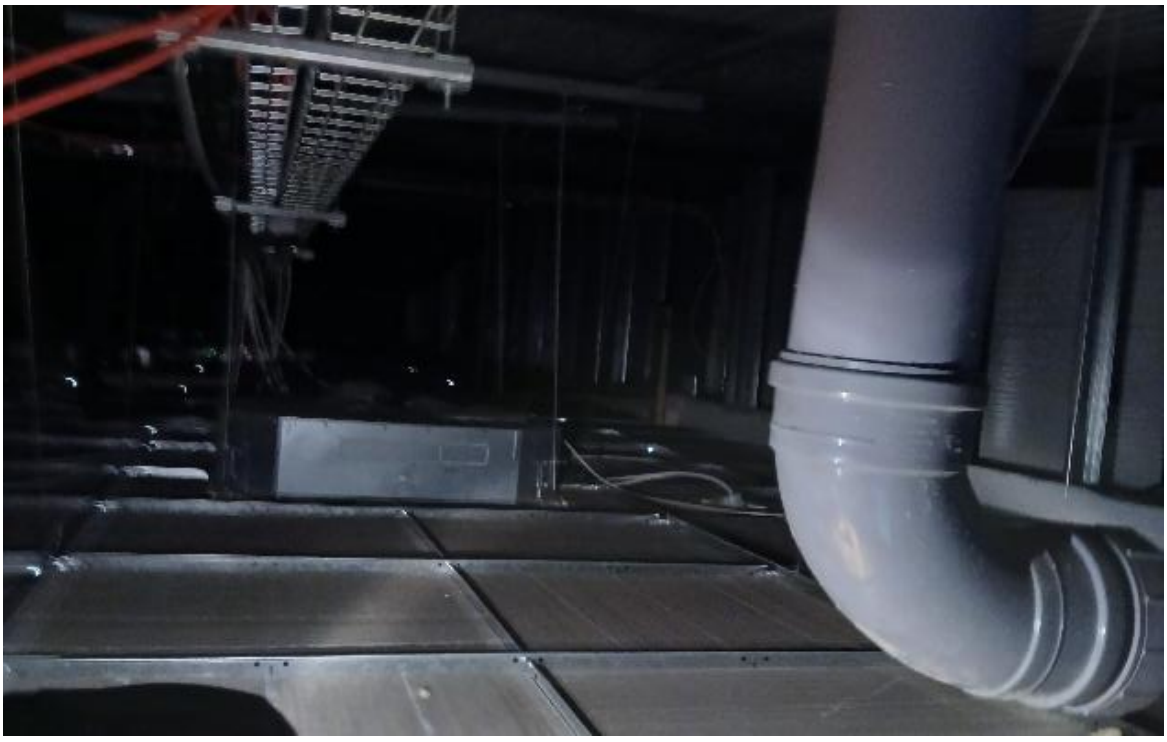

Photo 8: Roof void of H1



Photo 9: Empty office space inside H2



Photo 10: Roof void of H2



Photo 11: Roof void of H2



Photo 12: Roof void of H3



Photo 13: Roof void of H3