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FIELD NEW DEER LTD

NEW DEER 2 BESS

PRELIMINARY ECOLOGICAL APPRAISAL

APRIL 2025

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APRIL 2025

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CONTENTS

1	INTRODUCTION	1
1.1	Terms of Reference	1
1.2	Scope of Report	1
1.3	Background Information	2
1.4	Site Context	2
1.5	Description of Development	2
1.6	National Planning Policy Framework 4 (NPF4).....	3
1.7	Local Planning Policy	3
2	METHODOLOGY	5
2.1	Desk Study.....	5
2.2	Extended UK Habitat Classification Survey	5
2.3	Evaluation and Assessment of Features	6
2.4	Nomenclature.....	6
2.5	Limitations / Deviations	7
2.6	Quality Assurance & Environmental Management	7
3	RESULTS AND EVALUATION	8
3.1	Statutory and Non-Statutory Designated Sites.....	8
3.2	Habitats	8
3.3	Species.....	18
4	DISCUSSION AND RECOMMENDATIONS	25
4.1	Sensitive Receptors	25
4.2	Habitats	25
4.3	Protected Species.....	25
4.4	General Recommendations.....	27
4.5	Biodiversity Enhancement	28
5	CONCLUSION.....	29
5.2	Report Validity.....	29
6	REFERENCES.....	30

APPENDICES

Appendix 1 Legislation Summary

DRAWINGS	TITLE	SCALE
LD11228/001	Site Location Plan	1:25,000@A3
LD11228/002	UK Hab Survey Results	1:5,000@A3
LD11228/003	Badger Results Plan	1:5,000@A3

EXECUTIVE SUMMARY

Wardell Armstrong LLP (WA) was commissioned by Field New Deer Ltd (trading as Field) to undertake a Preliminary Ecological Appraisal (PEA) in support of a proposed Battery Energy Storage System (BESS) and associated infrastructure on land at Wagglehill North and South, Cuminstown, Turiff, Aberdeenshire.

The following conservation sites, habitats, and species (receptors) have been evaluated as being subject to potential adverse effects (constraints) in the absence of mitigation and/or further survey or assessment:¹:

- Local Biodiversity Action Plan habitat (Acid Grassland);
- Protected Species (Badger; Pine Marten, Red Squirrel, Reptiles);
- Breeding Birds.

Additional assessments, surveys and pre-construction checks have been recommended as necessary to fully inform the planning application:

- Badger, Squirrel/Pine Marten Survey;
- Breeding bird surveys; and
- Pre-construction surveys for badger setts.

Mitigation² and compensation³ are discussed in section 4 of the report but include the following:

- Storage of removed topsoil from acid grassland areas and beneath young plantation woodland). This should be reused on site for post development landscape restoration. Areas should be allowed to naturally regenerate from natural seed bank.
- Removal of an area of plantation woodland trees adjacent to existing heathland to enhance and increase an area of acid grassland heathland mosaic.
- Adopting, precautionary methods of working with regards to common reptile species to include, undertaking works during the reptiles active season (March to October inclusive), and passive dissuasion;
- Creation of reptile hibernacula within grassland habitat;
- Avoidance of plantation woodland for the Indicative Cable Route (where possible);
- Vegetation clearance undertaken outside of the bird nesting season or following an inspection carried out within 48hrs by an appropriately qualified ecologist.

¹ Note: the Preliminary Ecological Appraisal Report provides an overview of likely effects. Specialist surveys may be required to fully investigate effects and/or to support an Ecological Impact Assessment (EclA).

² Mitigation are measures required in order to reduce the severity and magnitude of identified effects to an acceptable level.

³ Compensation is required where effects cannot be fully mitigated.

Opportunities for ecological enhancements are set out in section 4 of this report. This includes management of retained habitats, suitable native planting to be include in the landscape scheme and provision of bat boxes, bird next boxes, and hibernaculum habitats for the benefit of common reptiles.

In conclusion, given the identified evidence of presence and/or likely presence of ecological constraints, further surveys and/or assessments are required to inform a full evaluation of adverse effects. This report makes recommendations for further protected species surveys and evaluations, which will be undertaken and submitted alongside the planning application to fully inform the Proposed Development.

This report is valid for 18 months from the date the habitat survey was undertaken.

1 INTRODUCTION

1.1 Terms of Reference

- 1.1.1 Wardell Armstrong LLP (WA) was commissioned by Field New Deer Ltd (trading as Field) in February 2025 to undertake a Preliminary Ecological Appraisal (PEA) in support of a proposed Battery Energy Storage System (BESS) and associated infrastructure (the Proposed Development). The Proposed Development is located on land at Wagglehill North and South, Cuminestown, Turiff, Aberdeenshire, AB53 8JJ, centred on approximate National Grid Reference (NGR) NJ 80816 48145.
- 1.1.2 This report has been produced with reference to current guidelines for UK Habitat (UKHAB) Classification V2 (UKHab, 2023), Guidelines for Preliminary Ecological Appraisal (CIEEM 2017⁴) and Biodiversity – Code of Practice for Planning and Development (BSI 2013⁵).
- 1.1.3 The Proposed Development will involve the construction and operation of a BESS connecting to the New Deer 2 substation (currently in planning) to the east, with associated infrastructure/ancillary works. Access is to be taken from the lane heading east. The indicative cable route will run along the roadside to the west then intersects diagonally into the area of woodland.

1.2 Scope of Report

- 1.2.1 The purpose of the PEA is in broad terms to undertake the following:
- Identify and report to the Proposed Development team the likely ecological constraints associated with a project, such that the site design can adequately take account of ecological features;
 - Identify any mitigation measures likely to be required, following the 'Mitigation Hierarchy'⁶;
 - Identify any additional surveys that may be required to inform an Ecological Impact Assessment (EclA); and
 - Identify the opportunities offered by a project to deliver ecological enhancement.

⁴ Chartered Institute of Ecology and Environmental Management (CIEEM 2017).

⁵ British Standard BS 42020:2013 (BSI 2013).

⁶ As defined in BS 42020:2013 (BSI 2013).

1.2.2 Certain species, habitats and nature conservation sites receive legislative protection which is detailed fully within Appendix 1. Other species/groups and habitats are notable due to their identification in national and/or local planning policy or via local records. An indicative assessment of potential adverse effects to such receptors is provided, although this is not a substitute for full EcIA (CIEEM 2018) which may be required to fully inform any subsequent planning application along with additional surveys and assessments.

1.2.3 Provisional mitigation and enhancement opportunities are also discussed, where appropriate.

1.3 Background Information

1.3.1 A request for EIA Screening Opinion was submitted on 20th December 2025 (ref. ECU00006067). The LPA's Screening Response concluded that an EIA would be required due to cumulative impacts. This decision was subsequently issued to the ECU to make the final decision, with the Proposed development now being confirmed as not requiring EIA.

1.4 Site Context

1.4.1 The site is situated in Northburnhill, rural Aberdeenshire, as shown on Drawing Number LD11228/001 (Site Location Plan).

1.4.2 The planning application area comprises a combination of forestry plantation and agricultural land (henceforth known as the Planning Boundary). There are two parcels of land upon which development is proposed, an eastern 'L shaped' mature conifer plantation (cable route) and a western conifer plantation woodland that has been felled and recently re-planted (BESS compound).

1.4.3 The study site (the Site) includes all land within the Planning Boundary plus additional land 50m from the site boundary, where accessible. The site is bounded on all sides by open arable and/or pastoral farmland with isolated farm buildings in the near vicinity and the village of Cuminestown to the north.

1.4.4 Isolated parcels of replanted ancient woodland are present within the wider area, the closest of which is approximately 780m to the north.

1.5 Description of Development

1.5.1 The Proposed Development will involve the creation of a BESS with a capacity of 400MW, covering approximately 9.9ha, with substations and associated infrastructure

connecting to the New Deer 2 substation (currently in planning) to the east. This includes access tracks, drainage, landscaping and biodiversity enhancements.

1.6 National Planning Policy Framework 4 (NPF4)

1.6.1 The NPF4 sets out national planning policies for Scotland and how these are to be applied. NPF4 policies 3, 4 and 6 cover the topics of Biodiversity, Natural Places and Forestry, Woodland and Trees. The intent of Policy 3 is to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. The intent of Policy 4 is to protect, restore and enhance natural assets making best use of nature-based solutions to ensure development proposals do not have an adverse impact upon the natural environment. The intent of Policy 6 is to protect and expand forests, woodland and trees and ensure their sustainable management.

1.7 Local Planning Policy⁷

1.7.1 Relevant current and emerging policies are summarised in Table 1, below and are discussed with regard to compliance in the final Discussion section of the report.

Table 1. Local Policies relevant to Ecology.	
Policy Reference	Policy Summary
Policy P1 Layout, Siting and Design	P1.7 Measures require to be identified to enhance biodiversity in proportion to the opportunities available and the scale of the development opportunity. In very rare circumstances, when it is not practical to meet biodiversity net gain within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement or near to the site. These obligations may be controlled by conditions.
Policy E1 Natural Heritage	E1.1 We will not allow new development where it may have an unacceptable adverse effect on a nature conservation site designated for its biodiversity, species, habitat, or geodiversity importance, except where the following circumstances apply. E1.6 Development must seek to avoid any unacceptable detrimental impact on protected species. A Protected Species Survey to inform the assessment of impacts will be required where there is reason to believe protected species may exist on or adjacent to the site. The submission of Species Protection Plans detailing appropriate avoidance and mitigation measures may be required. Development affecting any protected species will only be permitted when it can be justified in accordance with the relevant protected species legislation.

⁷ Aberdeenshire Council Local Development Plan 2023.

	<p>E1.8 A number of criteria will be used to consider the biodiversity impacts of a development, including whether it will affect habitats or species listed in: Schedule 2 or 4 of the Habitats Regulations; or the Scottish Biodiversity List; or North East Scotland Biodiversity Partnership Local Important Species; or other species or habitats of importance to biodiversity; or Groundwater Dependent Terrestrial Ecosystems (GWDTE).</p> <p>E1.10 Policy P1 also says that all developments should identify measures that will be taken to enhance biodiversity (including woodlands) in proportion to the potential opportunities available and the scale of the development. In circumstances when it is not practical to deliver positive effects for biodiversity within a development site, we may require off-site contributions towards biodiversity enhancement within the settlement. Such measures may be secured by planning obligations or conditions.</p>
Policy E3 Forestry and Woodland	<p>E3.1 Aberdeenshire's forests and native and semi-natural woodland areas are valued and enjoyed by both residents and visitors and must continue to be resilient to the effects of climate change. They must be protected and, where appropriate, enhanced to safeguard the environment, habitats, species and local culture, whilst benefitting and supporting the local and national economy.</p>

2 METHODOLOGY

2.1 Desk Study

2.1.1 The desk study was informed by review of existing available information provided by North East Scotland Biological Records Centre (NESBReC) and from available internet-based resources for a 2km search radius from the Site boundary. The search area was extended to 5km for bats and 10km for internationally designated sites. Ordnance Survey (OS) and satellite mapping was also used to gain contextual habitat information.

2.1.2 Specific information was sought for:

- Statutory designated sites⁸;
- Locally designated sites;
- Ancient woodland⁹;
- Protected and priority species;
- Scottish Biodiversity Habitats and Species¹⁰;
- Local Biodiversity Action Plan (LBAP) priority habitats and species.

2.1.3 The ecological desk study was carried out by a competent WA Ecologist who is a qualifying member of CIEEM and has undertaken numerous ecological desk studies within the last 3 years.

2.2 Extended UK Habitat Classification Survey

2.2.1 WA carried out a UK Habitat Classification Survey (UKHab, 2023) of the Site on the 19th and 20th February 2025. The survey was carried out by an experienced WA ecologist who is a full member of CIEEM and who has extensive experience of undertaking habitat surveys over the last 20 years.

2.2.2 The survey followed the 'UK Habitat Classification Version 2' (UKHab, 2023) methodology with each of the main habitats classified according to the relevant criteria including vegetation composition expressed according to the DAFOR¹¹ system.

⁸ Locations provided by MAGIC <http://magic.defra.gov.uk/MagicMap.aspx>

⁹ As defined by NatureScot in their Inventory of Ancient Woodlands
<https://opendata.nature.scot/maps/ancient-woodland-inventory>

¹⁰ As defined by the Scottish Biodiversity List.

¹¹ D = dominant, A = abundant, F = frequent, O = occasional, R = Rare

- 2.2.3 In addition to the mapping and description of habitats, the survey was 'extended' to include the incidental observations of protected and/or notable species and the potential for such species to occur on Site (and in the surrounding landscape where relevant) were also recorded onto secure digital media for mapping and data collection. The extended element of the survey was based on professional judgement.
- 2.2.4 Specific habitat features are mapped on Drawing Number LD11228/002 (Habitat Plan) with appropriate reference numbers identifying features of particular note.

2.3 Evaluation and Assessment of Features

- 2.3.1 Evaluation of the importance / likely importance of ecological features and the likelihood of impacts affecting important features was made, where possible, using professional judgement in accordance with published guidance (CIEEM 2017).
- 2.3.2 Protected and s.41 species were evaluated in order to identify potential adverse effects in Table 2, based on the following criteria:
- Desk study records;
 - Evidence found during the survey;
 - Presence, extent, quality and viability of suitable on-site habitat;
 - Ecological connectivity to viable off-site habitats; and
 - Perceived impacts of habitat loss/impact to individuals in relation to proposals.
- 2.3.3 A 'traffic light' system is used in Tables 1, 2 and 3 to highlight potential constraints and opportunities whereby:
- **Green:** No constraint or limited constraint unlikely to be of planning and/or legal significance.
 - **Amber:** Potential constraints which require further survey and/or mitigation and may be of planning and/or legal significance depending on the outcome of further survey/assessment.
 - **Red:** Constraints which have already been identified by the PEA survey/desk-based assessment and are likely to be of planning and/or legal significance.

2.4 Nomenclature

- 2.4.1 Vascular plant names follow '*New Flora of the British Isles*' (Stace 2019) with vernacular names as provided in the Botanical Society of the British Isles website (BSBI,

2013)¹². All other flora and fauna names following the National Biodiversity Network (NBN) Atlas (NBN Atlas Partnership, 2021). The common and scientific name of species/taxa is provided (if available) when first mentioned in the text, with only the vernacular name referred to thereafter.

2.5 Limitations / Deviations

- 2.5.1 Ecological surveys are limited by factors that affect the presence of plants and animals such as time of year, weather, migration patterns and behaviour. The survey was undertaken in February which is outside the optimum recommended April – August, survey period for habitat surveys, and therefore the habitat classifications must be considered to be provisional at this stage. This report is not designed, nor is it required to present a complete inventory of flora/fauna.
- 2.5.2 The absence of desk study records is not relied upon to determine absence of a particular species/habitat. Often, the absence of records is a result of under-recording within the given search area and as such the experience of the ecologist concerned together with a range of additional factors, in particular the presence/absence of potentially supporting habitat; is used to infer likely presence/absence of ecological receptors.
- 2.5.3 Access for survey within the eastern conifer plantation was restricted due to densely growing conifers. Accordingly, recommendations for potential protected species constraints have been included in this report based on the assumption that the whole stand is uniform in character, and therefore the suitability of habitats for protected species is also relatively uniform, throughout.

2.6 Quality Assurance & Environmental Management

- 2.6.1 The surveys and assessments have been overseen by and the report checked and verified by a full member of CIEEM, who is bound by its code of professional conduct. All surveys and assessments have been undertaken with reference to the recommendations given in British Standard BS 42020, and as stated within specialist guidance, as appropriate and referenced separately.

¹² <http://rbg-web2.rbge.org.uk/BSBI/intro.php>

3 RESULTS AND EVALUATION

3.1 Statutory and Non-Statutory Designated Sites

- 3.1.1 There are no statutory or non-statutory designated sites within 2km of the the BESS Site or the eastern land parcel, collectively referred to within this PEA as 'the Site'.
- 3.1.2 The search area is extended to allow for the inclusion of Impact Risk Zones (IRZs) for SSSIs¹³. IRZs define areas around SSSIs which could be impacted by development schemes. The desk study shows that the Planning Boundary does not fall within any IRZ.

3.2 Habitats

- 3.2.1 All habitats within the Site are described in Table 2, below, together with an indication of their priority status (as defined within the Scottish Biodiversity List, (Scottish Government, 2004) and reference to locally important species within the North East Scotland Biodiversity Partnership¹⁴.
- 3.2.2 Habitats which could be subject to adverse effects (amber or red) are discussed in the latter sections of the report. Habitats for which potential adverse effects are not anticipated are excluded from further assessment. The location and extent of habitats are shown on Drawing Number LD11228/002 (UKHab Survey Results).
- 3.2.3 A review of OS data has identified no static waterbodies/ponds 250m of the Site.

¹³ <https://data.gov.uk/dataset/sssi-impact-risk-zones>

¹⁴ [Biodiversity is variety of life - North East of Scotland](#)


Table 2: Habitat Descriptions and Evaluation				
Habitat Description	UK Hab Classification	Photograph	Local BAP/SBL	Potential Constraints
<p><u>Conifer Plantation</u></p> <p>A young recently planted Sitka spruce <i>Picea sitchensis</i> plantation is present within the western land parcel with occasional Larch sp <i>Larix sp</i>, and Scot's pine <i>Pinus sylvestris</i>. Near the entrance to the plantation there are a number of broadleaved planted saplings of willow sp <i>Salix sp</i>. The woodland is planted over recently clear-felled land. Disturbed shallow peaty and brown earth soils are visible through the colonising acid grassland which comprises frequent fescue sp <i>Festuca sp</i>, common bent <i>Agrostis capillaris</i>, wavy hair-grass <i>Deschampsia flexuosa</i>, common heather <i>Calluna vulgaris</i> with occasional bell heather <i>Erica cinerea</i>, common cat's-ear <i>Hypochaeris radicata</i> and rosebay willowherb <i>Chamaenerion angustifolium</i>. Where deep pockets of peaty soils occur <i>Sphagnum</i> sp moss is present, however, these are over very small areas. More established grassland which is more tussocky in nature and dominated by wavy</p>	<p><u>Primary Code</u></p> <p>Other conifer plantation (w2c)</p> <p><u>Secondary Code</u></p> <p>Plantation (29)</p> <p>Forest brash (207)</p> <p>Scattered dwarf shrubs (13)</p>		n/a	<p>An area measuring approximately 10 ha shall be lost to facilitate the BESS. Young conifer plantation is considered to be of low ecological value and common and widespread in a national and local context.</p>


Table 2: Habitat Descriptions and Evaluation				
Habitat Description	UK Hab Classification	Photograph	Local BAP/SBL	Potential Constraints
<p>hair grass and fescue sp is present to the western site of the site.</p> <p>An early mature conifer plantation is present within the eastern most parcel of land which covers approximately 13 ha. The plantation has a dense structure of single aged plantation, creating a dark sparsely vegetated ground flora.</p>				

Table 2: Habitat Descriptions and Evaluation				
Habitat Description	UK Hab Classification	Photograph	Local BAP/SBL	Potential Constraints
<p><u>Hedgerow</u></p> <p>Two hedgerows (H1 and H2) as shown on the habitat plan are present within the site boundaries. The hedgerows are both located around the eastern plantation woodland.</p> <p>One is a mature hawthorn <i>Crataegus monogyna</i> hedgerow, which is open at the base and gappy. The other is located on the western side of the plantation and is heavily trimmed to 1.2m.</p>	<p><u>Primary code:</u></p> <p>Native hedge (h2a)</p>		SBL	Both hedgerows shall be retained on Site. No adverse effects are considered.




Table 2: Habitat Descriptions and Evaluation				
Habitat Description	UK Hab Classification	Photograph	Local BAP/SBL	Potential Constraints
<p><u>Acid grassland</u></p> <p>An area of acid grassland is present along the margins of the access track through the western parcel.</p> <p>Acid grassland is also present along the periphery of the eastern land a parcel.</p> <p>Vegetation comprises abundant Yorkshire fog, frequent common bent and cock's-foot <i>Dactylis glomerata</i>, gorse <i>Ulex europaea</i>, white clover <i>Trifolium repens</i>, cat's-ear, spear thistle <i>Cirsium vulgare</i> and heath speedwell <i>Veronica officinalis</i>.</p>	<p><u>Primary code</u></p> <p>Other lowland dry acid grassland (g1ab)</p> <p><u>Secondary code:</u></p> <p>Eco-tone (530)</p>		LBAP	Acid grassland habitat will be partially lost as a result of the proposed development, however, large areas of natural recolonisation from the acid grassland seedbank are proposed as compensation.
<p><u>Heathland</u></p> <p>A strip of heathland vegetation is present along the western boundary of the western land parcel. This area of vegetation comprises abundant common heather and occasional bell heather with occasional festuca sp, wavy hair-grass and broom <i>Cytisus scoparius</i>, with a range of mosses including <i>Rhytidiadelphus squarrosus</i>.</p>	<p><u>Primary Code:</u></p> <p>Lowland heathland (h1a)</p> <p><u>Secondary code:</u></p> <p>Eco-tone (530)</p>		SBL	Heathland shall be retained on site. No adverse effects to this habitat are anticipated

Table 2: Habitat Descriptions and Evaluation				
Habitat Description	UK Hab Classification	Photograph	Local BAP/SBL	Potential Constraints
<p><u>Neutral grassland</u></p> <p>An area of more neutral grassland is located around the margins of the eastern plantation. Vegetation is tussocky in appearance with old cut plantation stumps, comprising abundant Yorkshire fog, cock's-foot, and occasional creeping bent <i>Agrostis stolonifera</i>.</p>	<p><u>Primary code</u></p> <p>Other neutral grassland (g3c)</p>		n/a	<p>This habitat shall be retained. No negative effects are considered likely.</p>

Table 2: Habitat Descriptions and Evaluation				
Habitat Description	UK Hab Classification	Photograph	Local BAP/SBL	Potential Constraints
<u>Tall ruderals</u> Dense stand of common nettle <i>Urtica dioica</i> , with occasional bramble <i>Rubus fruticosus</i> .	<u>Primary Code</u> Other neutral grassland (g3c) <u>Secondary code:</u> Tall forbs (16) Scattered scrub (10)		n/a	It is possible that small areas may be lost as a result of the proposed cable routing. However, this habitat is common and widespread in a national and local context. No negative effects considered likely.
<u>Dense scrub</u> Dense gorse scrub with occasional broom.	<u>Primary code</u> Gorse scrub (h3e)			Small areas of dense scrub may be lost as a result of the proposed Indicative Cable Route in the eastern L-shaped plantation. This habitat is common and widespread in a national and local context. No negative effects are considered likely.

Table 2: Habitat Descriptions and Evaluation				
Habitat Description	UK Hab Classification	Photograph	Local BAP/SBL	Potential Constraints
<u>Arable</u> A small area of bare ploughed arable land falls within the red line Planning Boundary. This is located beyond a post and wire fence.	<u>Primary code</u> Arable (c1) <u>Secondary code:</u> Ploughed (600)	No photo	n/a	Arable field habitat shall be retained and undisturbed. No negative effects are considered likely.
<u>Bare ground</u> Area of stockpiled aggregate on the edge of access track.	<u>Primary code</u> Artificial unvegetated unsealed surface (u1c)		n/a	This habitat shall be cleared as a result of the proposed works. This habitat is of intrinsically low ecological value. No negative effects are considered likely as a result of the proposed works.

<p><u>Access track</u></p> <p>A hardcore access track is located through the centre of the western most land parcel. The track is between 4-9m wide with a turning circle and the far northern end. The track is slightly raised above the plantation floor.</p> <p>An access track is shown OS maps within the eastern land parcel. However, no access track with the exception of the machine storage area was recorded due to the dense structure of the woodland and peripheral scrub. The access track within the woodland was therefore not mapped on the habitat plan.</p> <p>Post and wire deer fencing is present around the entirety of the western most plantation. A post and wire fence is also present around the plantation to the east.</p>	<p><u>Primary code</u></p> <p>Built Linear feature (u1e)</p> <p><u>Secondary code</u></p> <p>Track (839)</p> <p>Fence (69)</p>		<p>This habitat may partially be changed/lost as a result of the proposed works. This habitat is of intrinsically low ecological value. No negative effects are considered likely as a result of the proposed works.</p>
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Table 2: Habitat Descriptions and Evaluation				
Habitat Description	UK Hab Classification	Photograph	Local BAP/SBL	Potential Constraints
				

3.3 Species

3.3.1 Protected and Scottish Biodiversity List (SBL) species are evaluated in order to identify potential adverse effects in Table 3 below, based on the following criteria:

- Desk study records;
- Evidence found during the survey;
- Presence, extent, quality, and viability of supporting on-site habitat;
- Ecological connectivity to viable off-site habitats; and
- Perceived impacts of habitat loss/impact to individuals in relation to proposals.

3.3.2 Species for which adverse effects are predicted (amber or red) are discussed in more detail in the Discussion and Recommendations section. Species/taxa for which potential adverse effects are not anticipated (green) are excluded from further assessment.

Table 3: Protected and Notable Species Evaluation					
Receptor (species/taxa)	Desk Study records	Status¹⁵	Evaluation	Supporting Habitat(s) Present	Potential Constraints
Badger <i>Meles meles</i>	None.	BA	Site/Local	Foraging habitat is present on Site within the plantation woodland and marginal grassland and scrub. Access to the western parcel of plantation is restricted by the use of tall deer fencing. However, 	Potential foraging and sett creation habitat may be impacted by the proposed works.
Bats <i>Chiroptera</i>	Leislars noctule <i>Nyctalus leisleri</i> .	EPS, WCA, SBL,	Site	Low quality foraging habitat around the periphery of the eastern L shaped woodland habitat, where foraging is sheltered. No trees or buildings with bat roost potential on Site.	Within the location of the development footprint the habitat quality is due to the exposed nature of the site with limited sheltered corridors for foraging with the exception of a small number taller conifers to the north. This area shall be retained and undisturbed by works. The area of greatest foraging opportunities is around the periphery of the eastern L-shaped woodland. However, this habitat shall be retained within minor temporary (daytime) works within the woodland to facilitate the

¹⁵ **EPS** – European Protected Species, **WCA** – Wildlife and Countryside Act, **WCA (9)** – species listed under Schedule 9, **A1** – Annex 1 (Birds Directive), **BA** – Protection of Badgers Act, **SBL** – species of principal importance as listed on the Scottish Biodiversity List, **BoCC** – Birds of Conservation Concern.

Table 3: Protected and Notable Species Evaluation					
Receptor (species/taxa)	Desk Study records	Status¹⁵	Evaluation	Supporting Habitat(s)Present	Potential Constraints
					indicative cable route installation. These works are not considered to significantly negatively affect bats opportunities for foraging and commuting and will increase the availability of 'edge' habitat for foraging bats.Overall, no adverse effects are considered likely as a result of the proposed development.
Birds	A wide range of BoCC and Red List species and WCA Schedule listed species including: Brambling <i>Fringilla montifringilla</i> , Bullfinch <i>Pyrrhula pyrrhula</i> , Corn Bunting <i>Emberiza calandra</i> , Cuckoo <i>Cuculus canorus</i> , Curlew <i>Numenius Arquata</i> , Dunnock <i>Prunella modularis</i> , Fieldfare <i>Turdus pilaris</i> , Goshawk <i>Accipiter gentilis</i> , Grey Partridge <i>Perdix perdix</i> , Kestrel <i>Falco tinnunculus</i> , Lesser Redpoll <i>Acanthis cabaret</i> , Linnet <i>Linaria cannabina</i> ,	SBL, WCA BoCC	Site/Local	Foraging and breeding habitat present across the Site within the grassland, scrub and heathland.	Potential breeding habitat may be lost/disturbed by proposals. Foraging habitat may also be lost. Breeding Bird Survey will be undertaken on the Site.

Table 3: Protected and Notable Species Evaluation					
Receptor (species/taxa)	Desk Study records	Status¹⁵	Evaluation	Supporting Habitat(s)Present	Potential Constraints
	Peregrine <i>Falco peregrinus</i> , Reed Bunting <i>Emberiza schoeniclus</i> , Siskin <i>Spinus spinus</i> , Yellowhammer <i>Emberiza citronella</i> .				
Brown hare <i>Lepus europaeus</i>	None.	SBL	Site	Habitats within the development site are suitable for brown hare but secure deer fencing is considered likely to restrict their access. Suboptimal habitat within the eastern most L-shape plantation, however, this species favours open expanses of pastoral farmland and therefore are unlikely to utilise the habitats on Site. An abundance of suitable habitat is present within neighbouring land.	No adverse effect.
Pine Marten <i>Martes martes</i>	One record from 2021.	WCA	Site	No suitable habitat is present within the proposed western plantation. The eastern L-shaped plantation is considered to provide suboptimal habitat for Pine Marten give the relatively young age of the plantation and lack of mature tree resource and relative isolation from	No direct impacts shall occur through the development of the BESS in the western most plantation woodland, however, there may be impacts from the cabling works depending on the construction methodology.

Table 3: Protected and Notable Species Evaluation					
Receptor (species/taxa)	Desk Study records	Status¹⁵	Evaluation	Supporting Habitat(s)Present	Potential Constraints
				other woodland habitat. Opportunities for shelter may be found in stumps of old clear-felled trees.	
Eurasian Red Squirrel <i>Sciurus vulgaris</i>	Historical record (2002) 900m south.	WCA	Site	Plantation woodland within the L-shape plantation to the east provides suboptimal habitat. No suitable habitat is present within the western most young plantation.	Direct impacts may occur from the cabling works depending on construction methodology. This may result in a negative effect without appropriate mitigation.
European hedgehog <i>Erinaceus europaeus</i>	None.	SBL	Site	Woodland, hedgerows and scrub.	Adverse effects through minor habitat losses are unlikely to be significant due to the small scale of the development together with the vast availability of equivalent supporting habitats elsewhere in the locality.
Great crested newt <i>Triturus cristatus</i>	None.	EPS, WCA, SBL	N/A	No waterbodies are present on site or within 250m. No current or historical records are present on NBN.	No adverse effects as GCN are considered to be absent from the area.
Common toad <i>Bufo bufo</i>	None.	SBL	Site	Suitable habitat for common toad within grassland and brash and scrub on site.	It is likely that some common toad supporting habitat will be lost as a result of the proposed development. However, a significant area of this habitat will be retained and enhanced as part of the wider landscape strategy. In addition, suitable habitat is present in the immediate off-site

Table 3: Protected and Notable Species Evaluation					
Receptor (species/taxa)	Desk Study records	Status¹⁵	Evaluation	Supporting Habitat(s)Present	Potential Constraints
					habitats. No adverse effects are anticipated to populations of common toad.
Common Reptiles	None.	WCA, s.1	Site	Grassland, scrub and woodland edge	The clearance of suitable habitats is likely to result in incidental harm to reptiles in the absence of mitigation.
Invertebrates (Protected and notable species)	None.	WCA, s.1	Site	The acid grassland, heathland habitats may provide some temporary opportunities for invertebrate species. However, the vegetation is recently established from recent mature conifer plantation and is likely to recede as the plantation matures. The habitats are surrounded by arable and modified grazing land, resulting in the site being relatively isolated.	The Site shall lose some temporary grassland habitat young conifer plantation; however, this habitat is considered to be transient and will be lost to mature plantation over time. Areas of greatest interest (heathland) around the periphery and young plantation with acid grassland beneath within the wider site to the west and north shall be retained and enhanced. As a result, no negative effects are considered likely.
Otter <i>Lutra lutra</i>	None.	EPS, WCA, s.1	N/A	No suitable habitat present.	No adverse effect.
Water vole <i>Arvicola amphibius</i>	None.	WCA, s.1	N/A	No suitable habitat present.	No adverse effect.
White-clawed crayfish <i>Austropotamobius pallipes</i>	None.	EPS, WCA, s.1	N/A	No suitable habitat present.	No adverse effect.

Table 3: Protected and Notable Species Evaluation					
Receptor (species/taxa)	Desk Study records	Status¹⁵	Evaluation	Supporting Habitat(s)Present	Potential Constraints
Protected and notable plant species	None.	WCA, s.1	N/A	No protected or notable plants were recorded by the survey.	No adverse effect considered likely.
Non-native invasive species (INNS)	None.	WCA (9)	N/A	None recorded.	No adverse effect.

4 DISCUSSION AND RECOMMENDATIONS

4.1 Sensitive Receptors

4.1.1 The following conservation sites, habitats, and species (receptors) have been evaluated as being subject to potential adverse effects and hence can be constraints to the proposals:

- LBAP habitat – Acid grassland;
- Protected Species – (Badger, Reptiles, Red Squirrel, Pine Marten, Breeding Birds); and
- Nesting Birds.

4.1.2 The nature of potential effects, requirements for further surveys and proposed mitigation/compensation are discussed below for each of the identified receptors.

4.2 Habitats

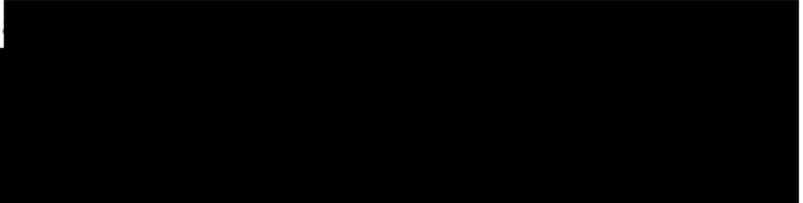
Acid grassland

4.2.1 A small area of acid grassland (LBAP priority habitat) along the edge of the track that falls beneath the footprint of the BESS shall be lost to the proposed development. In addition, the habitat within which the young plantation woodland is growing may return to acid grassland habitat by natural regeneration once the tree crop is taken. This grassland has been disturbed through timber extraction and is in the process of becoming re-established from the natural seed bank. Vegetation is mixed with a range of acid and disturbed ground species. Given the inevitable loss of such habitat through the development of the BESS, the landscape scheme will to enhance the retained habitat on site to accommodate equivalent habitat types. In this regard topsoil stripped from the plantation /sides of the access track will be stored on site and re-used within the post development landscaping works to allow vegetation to naturally regenerate from the seed bank.

4.2.2 Habitat enhancement/compensation could include removal of a section of plantation trees adjacent to existing heathland habitat to increase the area of available habitat in the long term and encouraging the development and establishment of heathland and acid grassland mosaic.

4.3 Protected Species

Badger

- 4.3.1 A significant level of badger activity in the form of latrines, dung pits, foraging and pathways was recorded 

- 4.3.2 As this area may be impacted by the construction of the underground cable route, targeted badger surveys are required to determine the location of any active setts and appropriate mitigation requirements. In the event that sett closure is required it should be noted that the window for such licensable mitigation is July to November inclusive, to avoid the sensitive breeding and cub rearing period.

Common Reptiles

- 4.3.3 The habitats on site are suitable for common reptile species namely common lizard, slow worm and adder, although there are no desk study records and the site has been exposed to disturbance through commercial forestry operations. The likelihood of significant common reptile populations is low due to the lack of records.. Therefore it is considered that surveys are not required but that reasonable avoidance measures are implemented to minimise incidental harm to minor reptile populations, as follows:

- Habitat (grassland) removal should be timed to fall within the reptiles active period taken to be March to October inclusive.
- Habitat is cleared in a single direction, working progressively toward the western boundary. This measure will encourage reptiles to move of their own accord into undisturbed neighbouring habitat (passive dissuasion).
- Any reptiles that are seen should be captured and moved to a place of safety.

- 4.3.4 Landscape design proposals to create grassland and dwarf shrub heathland mosaic habitat would ensure the suitable habitat remains on site, and populations are retained.

Pine Marten/Red Squirrel

- 4.3.5 The Site falls within an area where both pine marten and red squirrel have been recorded locally, within 5-10km. The main development site for the BESS is located within the western survey area. Here the habitat is unsuitable for both red squirrel and pine marten due to lack of tree cover. Within the eastern survey area, the woodland structure does not contain trees that are mature enough to provide shelter for pine marten, however the natural voids beneath/around decaying tree stumps

may provide refuge, where habitat is limited. This plantation is somewhat isolated as a result of the clearance of other local plantations, however, some albeit sub-optimal habitat is present for both species.

- 4.3.6 As the indicative cable route will go through the plantation woodland to the east, red squirrel and pine marten assessments/surveys will be undertaken to fully assess the impacts and provide appropriate mitigation.

Breeding Birds

- 4.3.7 The preliminary survey has confirmed that the site supports a range of bird species, mainly those associated with grassland, scrub, hedgerow and woodland edge, as well as species with more catholic habitat requirements.
- 4.3.8 To fully consider potential impacts to birds utilising the site it is recommended that a suitably qualified ecologist/ornithologist carries out breeding bird surveys consisting of six visits between March and June (inclusive). This will establish whether any specially protected and/or notable species are breeding on site and will inform mitigation measures most appropriate for the site and proposed development works.

General Nesting Birds

- 4.3.9 In addition, it is recommended that initial development works are undertaken outside of the usual bird breeding season (normally taken to be March – August inclusive). If such timescales cannot be accommodated, it is recommended that a check for the presence of active nests, and nesting birds should be undertaken by a suitably qualified ecologist prior to the commencement of works. Any active nests should be identified and protected subject to the relevant legal provisions until the nesting attempt is complete.

4.4 General Recommendations

- 4.4.1 If the Site boundary alters and any other habitats are identified to be lost or affected by the development, then further surveys for habitats and protected species may be required.
- 4.4.2 Night-time work should be avoided whenever possible to limit the potential for disturbance to nocturnal animals.

4.5 Biodiversity Enhancement

4.5.1 In accordance with the requirements of the National Planning Policy Framework NPF4 and BSI 42020:2013 ecological enhancements should be proposed that are over and above measures required to mitigate effects on biodiversity. Such enhancements could include the provision of the following, in addition to any measures required as mitigation (with exact specifications to be determined at the detailed design stage):

- Bird boxes, including a variety of designs, such as 45mm entrance boxes, 32mm entrance boxes, sparrow terraces, owl/kestrel boxes and swift boxes/house martin cups on trees and the installation of integrated bird bricks directly into the brickwork of new buildings/structures;
- Bat boxes including for a variety of species and for a variety of seasons, to be installed on retained mature trees and use of integrated bat boxes directly into the brickwork of new buildings and structures.
- Creation of insect and invertebrate houses/hotels, or management of retained standing and fallen deadwood.
- Planting of native trees and shrubs of local provenance which naturally occur within the local area. To include berry, pollen and nectar producing species.
- Areas of green spaces planted with diverse native flora and linked to the wider landscape character.
- Creation of wildlife ponds to provide habitats for invertebrates and amphibians.

4.5.2 It is recommended that all future establishment and management of habitats is detailed within a Landscape and Biodiversity Management Plan (LBMP).

5 CONCLUSION

5.1.1 In conclusion, given the identified evidence of presence and/or likely presence of ecological constraints, further surveys and/or assessments are required to inform a full evaluation of adverse effects. Such surveys and assessments will be prepared and submitted alongside the planning application to fully inform the impacts the Proposed Development.

5.2 Report Validity

5.2.1 In general, this report remains valid for a period of 18 months following the date of the habitat survey.

5.2.2 If the Site boundary or layout is subsequently modified and any other habitats are identified to be lost or affected by the development, then further surveys for habitats and protected species may be required.

6 REFERENCES

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Stace, C. A. (2021) *New Flora of the British Isles*. Cambridge University Press.

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APPENDICES

Appendix 1

Legislation and Policy Summary

Appendix 1 – Legislation and Policy Summary

Legislation for Habitats/Sites

Designated Site/Habitat	Status
Ramsar Sites	Ramsar Sites are wetlands of international importance designated following the Ramsar Convention. RAMSAR sites have the same level of protection as SACs and SPAs under the Wildlife and Countryside Act 1981 (as amended).
SPA (Special Protection Areas)	SPAs seek to protect the habitats of rare and vulnerable European and UK birds. The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) protect such sites in the UK.
SAC (Special Areas for Conservation)	SACs are strictly protected areas which represent important and threatened habitats in Europe and the UK. The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) protect such sites in the UK.
SSSI (Sites of Special Scientific Interest)	SSSIs protect the best examples of the UK's flora, fauna, or geological or physiographical features. Originally notified under the National Parks and Access to the Countryside Act 1949, SSSIs were renotified under the Wildlife and Countryside Act 1981 (as amended). Modified provisions for the protection and management of SSSIs were introduced by the Countryside and Rights of Way Act 2000.
NNR (National Nature Reserves)	NNRs are examples of some of the most important natural and semi-natural terrestrial and coastal ecosystems in Great Britain. NNRs are declared by the statutory country conservation agencies under the National Parks and Access to the Countryside Act 1949 or the Wildlife and Countryside Act 1981 (as amended). Legal protection of NNRs is provided under the Wildlife and Countryside Act 1981 (as amended).
Hedgerows	All hedgerows are protected by the Hedgerows Regulations 1997, under which it is an offence to remove or destroy certain hedgerows without planning consent or permission from the Local Planning Authority. These regulations do not apply to any hedgerow within the curtilage of, or marking the boundary of the curtilage of, a dwelling house.
LNR (Local Nature Reserves)	Designated by the National Parks and Access to the Countryside Act 1949, LNRs may be declared for nature conservation by local authorities after consultation with the relevant statutory nature conservation agency. Legal protection of LNRs is provided under the Wildlife and Countryside Act 1981 (as amended).

Legislation for Species

Species	Legal Status
Creeping Marshwort, Early Gentian, Fen Orchid, Floating-leaved Water Plantain, Killarney Fern, Lady's Slipper, Shore Dock, Slender Naiad, Yellow Marsh Saxifrage	Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is illegal to deliberately pick, collect, uproot or destroy any such species.
Bats, Dormouse, Otter, Wild Cat, Great Crested Newt, Natterjack Toad, Sand Lizard, Smooth Snake, Large Blue Butterfly	<p>These animals and their breeding sites or resting places are protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2017 (as amended), which makes it illegal to:</p> <ul style="list-style-type: none"> • Deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs; • Deliberately disturb¹⁶ such an animal; and • Damage or destroy a breeding site or resting place of such an animal. <p>European Protected Species (EPS) licenses can be granted by Natural England in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed, namely:</p> <ul style="list-style-type: none"> • The development is for reasons of overriding public interest; • There is no satisfactory alternative; and • The favourable conservation status of the species concerned will be maintained and/or enhanced. <p>LPAs must consider the above 3 'tests' when determining whether Planning Permission should be granted for developments likely to cause an offence under the Conservation Regulations.</p>
Bats, Dormouse, Great Crested Newt, Heath Fritillary, High Brown Fritillary, Large Blue, Marsh Fritillary, Natterjack Toad, Pine Marten, Otter, Red Squirrel, Sand Lizard, Smooth Snake, Swallowtail, Water Vole, Wildcat	<p>These animals receive full protection under the Wildlife and Countryside Act 1981 (as amended), which makes it illegal (subject to certain exceptions) to:</p> <ul style="list-style-type: none"> • Intentionally kill, injure or take any such animal; • Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection; and

¹⁶ Under the Conservation Regulations, disturbance of protected animals includes in particular any disturbance which is likely to: (i) impair their ability to survive, breed or reproduce, or to rear or nurture their young or to hibernate or migrate; (ii) significantly affect the local distribution or abundance of the species in question.

Species	Legal Status
	<ul style="list-style-type: none"> Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.
Adder, Common Lizard, Grass Snake, Slow Worm, White-clawed Crayfish	These animals receive partial protection under the Wildlife and Countryside Act 1981 (as amended), which provide protection against intentional killing or injury of any such animal.
Nesting Birds	<p>All wild birds (as defined by the act) are protected under the Wildlife and Countryside Act 1981 (as amended), which makes it illegal (subject to exceptions) to:</p> <ul style="list-style-type: none"> Intentionally kill, injure or take any wild bird; Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.
Wildlife and Countryside Act 1981 (as amended) Schedule 1 listed Birds	Additional protection is provided to birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). In addition to the offences detailed above relating to all wild birds, it is illegal to intentionally or recklessly disturb any bird listed on Schedule 1, or their dependent young while nesting.
Badgers	<p>The Protection of Badgers Act 1992 makes it illegal to wilfully kill or injure a Badger, or attempt to do so and to intentionally or recklessly interfere with a Badger sett. This includes:</p> <ul style="list-style-type: none"> damaging or destroying an active sett; obstructing access to a sett; and disturbing a Badger while it is occupying a sett. <p>Licences can be granted to permit sett closure and/or disturbance between July and November inclusive (i.e. outside the sow pregnancy/birth period).</p>
Wild Mammals	The Wild Mammals (Protection) Act 1996 provides legal protection to all wild mammals (as defined by the act) against the following actions: mutilate, kick, beat, nail, or otherwise impale, stab, burn, stone, drown, crush, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.
Wildlife and Countryside Act 1981 (as amended) Schedule 9 listed invasive animals (Part 1) and plants (part 2)	Certain species of plants and animals that do not naturally occur in Great Britain have become established in the wild and represent a threat to the natural fauna and flora. Section 14 of the Wildlife and Countryside Act 1981 (as amended) prohibits the release or allowed escape of animals listed in Schedule 9 to the Act and planting, or allowed growth, of any plant listed in Schedule 9 to the Act.

Policy Summary

The Nature Conservation (Scotland) Act 2004

The Nature Conservation (Scotland) Act 2004 places a statutory duty on all public bodies in Scotland to further the conservation of biodiversity. Section 1 of the Act states:

“It is the duty of every public body and office holder, in exercising any functions, to further the conservation of biodiversity so far as it is consistent with the proper exercise of those functions”.

Every public body in Scotland is also required to produce a publicly available report, on compliance with the biodiversity duty.

The biodiversity duty is not only about protecting biodiversity through managing specific sites, habitats and species. It also aims to:

- Increase the level of understanding and connection between people and the living environment.
- Promote consideration of all our impacts on the natural world through our actions and decisions, including through procurement and use of resources.
- Encourage staff, partners and customers to engage with and understand and consider biodiversity.

Scottish Biodiversity List

The Scottish Biodiversity List is a list of animals, plants and habitats that Scottish Ministers consider to be of principal importance for biodiversity conservation in Scotland. By identifying the species and habitats that are of the highest priority for biodiversity conservation, the Scottish Biodiversity List helps public bodies apply their biodiversity duty.

For each species and habitat, the spreadsheet containing the Scottish Biodiversity identified broad categories of action, together with the information on the selection criteria which have been met. The habitats worksheet in the spreadsheet contains a column which approximately aligns each habitat with habitats listed in Annex 1 of the “Habitats Directive”, which occur in Scotland, and for which Special Areas of Conservation may be selected.

National Planning Framework 4 (NPF4)

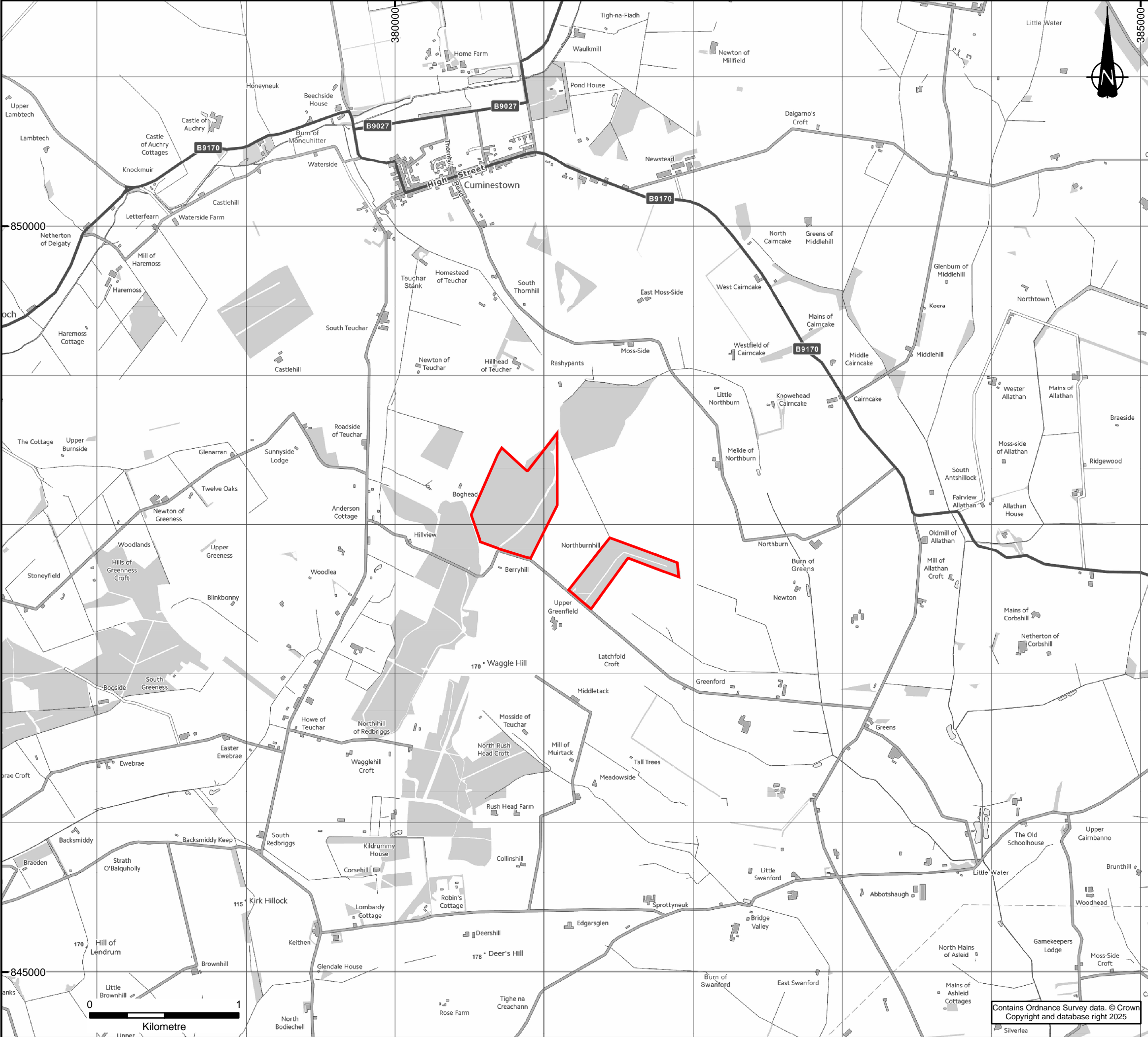
The fourth National Planning Framework is a long-term plan looking to 2045 that guides spatial development, sets out national planning policies, designates national developments and highlight regional spatial priorities.

The policy principles with regard to biodiversity state that:

- A) *“Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.”*
- B) *“Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the following criteria:*
- i. the proposal is based on an understanding of the existing characteristics of the Site and its local, regional and national ecological context prior to development, including the presence of any irreplaceable habitats;*
 - ii. wherever feasible, nature-based solutions have been integrated and made best use of;*
 - iii. an assessment of potential negative effects which should be fully mitigated in line with the mitigation hierarchy prior to identifying enhancements;*
 - iv. significant biodiversity enhancements are provided, in addition to any proposed mitigation. This should include nature networks, linking to and strengthening habitat connectivity within and beyond the development, secured within a reasonable timescale and with reasonable certainty. Management arrangements for their longterm retention and monitoring should be included, wherever appropriate; and*
 - v. local community benefits of the biodiversity and/or nature networks have been considered.”*
- C) *“Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Applications for individual householder development, or which fall within scope of (b) above, are excluded from this requirement.”*
- D) *“Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be*

minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.”

DRAWINGS




KEY

Site Boundary

Notes:


Boundaries are indicative.

REVISION	DETAILS	DATE	DRAWN	CHKD	APPD
CLIENT					
FIELD ENERGY					
PROJECT					
NEW DEER BESS					
DRAWING TITLE					
SITE LOCATION PLAN					
DRG No.		LD11228-001		REV	A
DRG SIZE		A3		SUIT. CODE	--
SCALE		1:25,000		DATE	11/03/2025
DRAWN BY		SRW		APPROVED BY	TP
CHECKED BY		LP			




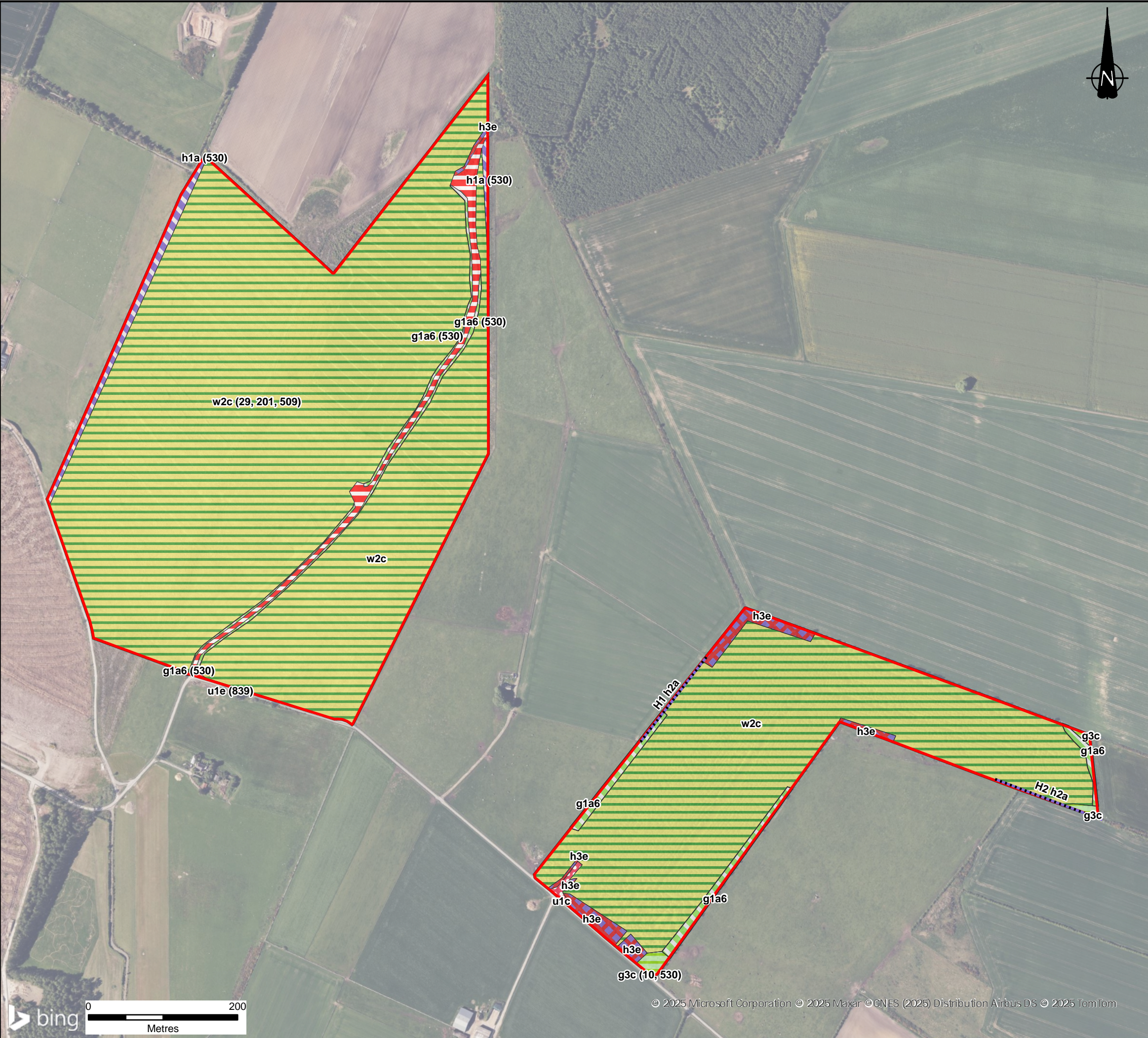
wardell
armstrong

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PART OF





KEY

Site Boundary

g1a6 - Other lowland dry acid grassland

g3c - Other neutral grassland

h1a - Lowland heathland

h3e - Gorse scrub

u1c - Artificial unvegetated, unsealed surface

u1e - Built linear features

w2c - Other coniferous woodland

h2a - Native hedgerow

Notes:

Boundaries are indicative.

REVISION	DETAILS	DATE	DRAWN	CHKD	APPD

CLIENT

FIELD ENERGY

PROJECT

NEW DEER BESS

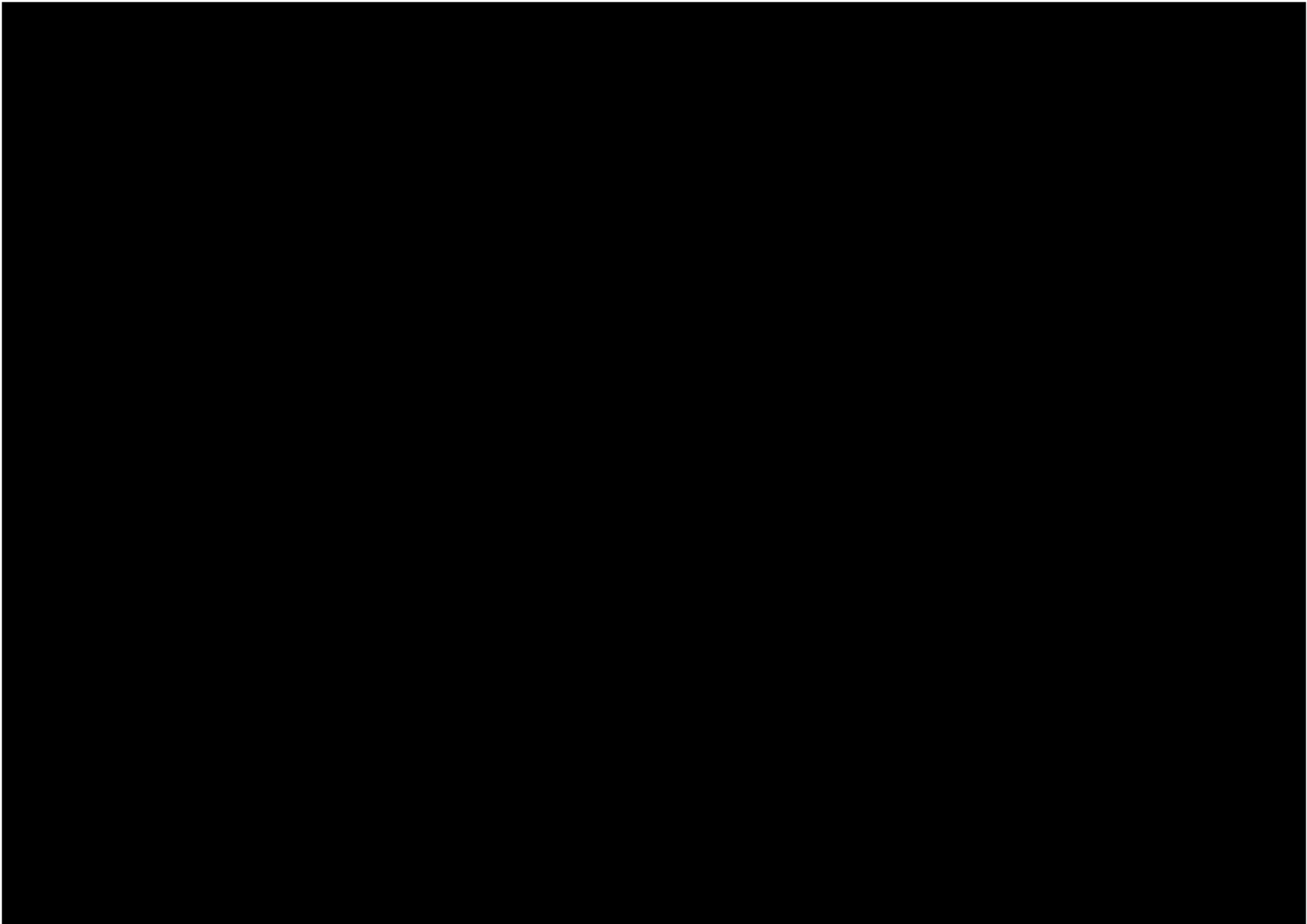
DRAWING TITLE

HABITAT PLAN

DRG No.	LD11228-002		REV	A	SUIT. CODE	--
DRG SIZE	A3	SCALE	1:5,000	DATE	11/03/2025	
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