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Proposed Barn Construction at:
The Grange
Whiston
Stoke-on-Trent
ST10 2JB

Preliminary Ecological Appraisal

JOHN FOSTER

V3

FINAL (updated)

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Executive Summary

BiOME Consulting Ltd was commissioned by John Foster in September 2024 to undertake a Preliminary Ecological Appraisal (PEA) of areas at The Grange, Whiston, Stoke-on-Trent, ST10 2JB (the 'site'), where the construction of a new barn and associated access driveways are proposed (the 'study area'). Following submission of the original planning application comments were received from the Local Planning Authority; this report has been updated to remedy the comments raised.

The ecology surveys detailed within this report were completed in order to determine the baseline ecological conditions of the study area, with particular attention given to the possible presence of protected, controlled or otherwise notable species and/or habitats.

The potential ecological issues identified during the PEA were:

General Mitigation: Standard pollution control measures should be implemented during construction. If any protected species are encountered during the works, all work in the vicinity should stop immediately and a Suitably Qualified Ecologist (SQE) should be contacted for advice on how to proceed.

Designated Sites: Three statutorily designated sites were identified within 2km of the site boundary. Taking into account the intervening distance, the nature of the proposed project and assuming environmental best practice during construction works no impacts are anticipated.

Habitats: The habitats present within the site are common across England, and locally, and were assessed to be of very limited intrinsic ecological value. Biodiversity Net Gain assessment to achieve 10% gain is required; a standalone report has been produced.

Retained trees should be protected in line with BS 5837:2012.

Amphibians: Great Crested Newt (GCN) and/or significant populations of other amphibians are considered likely absent from the site; no further survey work is considered necessary. In the apparently unlikely event that any GCN or

significant numbers of common amphibian species are disturbed during works, works must cease and the advice of a SQE should be sought.

Nesting Birds: The active nests of wild bird species (with certain exceptions) are legally protected from deliberate disturbance or destruction. If building works are proposed for the bird nesting season (March-August inclusive), it would be recommended to appoint a SQE to complete a check for active birds' nests. Should any active nests be found then it would be necessary to delay works until the nesting attempt has reached a natural conclusion. If works are planned for outside of the bird nesting period, then no such check is necessary.

Report Validity: The findings of this report are considered valid until July 2027. If works are delayed beyond this date an updated assessment of potential impacts will be required.

1. Introduction

BiOME Consulting Ltd was commissioned by John Foster in September 2024 to undertake a Preliminary Ecological Appraisal (PEA) of areas at The Grange, Whiston, Stoke-on-Trent, ST10 2JB (the 'site') where the construction of a new barn and associated access driveways is proposed (the 'site') (**Figure 1**). Following submission of the original planning application comments were received from the Local Planning Authority; this report has been updated to remedy the comments raised.

There will be no impacts as a consequence of the proposed project to any buildings within the site, with impacts restricted to an area of pasture to the north of the building complex.

Figure 1: Site boundary



2. Relevant Legislation

Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The Habitats Regulations convey special protection to a number of species, which are listed in Schedule 2 of the Regulations and are referred to as European Protected Species (EPS).

Regulation 43 makes it an offence to:

- Deliberately capture, injure or kill any wild animal of a EPS;
- Deliberately disturb wild animals of such a species;
- Deliberately take or destroy the eggs of such a species;
- Damage or destroy a breeding site or resting place of such an animal.

Disturbance in the context of the offences above is disturbance which is likely to impair the ability of the animals to survive, to breed or reproduce, to nurture their young, to hibernate, to migrate; or to affect significantly the local distribution of the species.

Licences can be granted by the relevant Statutory Nature Conservation Organisation (SNCO) for developments (sometime referred to as EPS Licences or Derogation Licences) providing the purposes of the licence is for "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".

Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 (as amended) provides protection to both EPSs and other species including wild birds, Water Voles and reptiles.

All wild birds, their nests and eggs are protected, with some rare species afforded extra protection from disturbance during the breeding season (these species are listed in Schedule 1 of the Act). It is illegal to take any wild bird or damage or destroy the nests and eggs of breeding birds. There are certain exceptions to this in respect of wildfowl, game birds and certain species that may cause damage.

In England some species are listed on Schedule 5 of the Act, receiving full protection since 2008. The Wildlife and Countryside Act 1981 together with amending legislation lists the following offences:

- Intentionally killing, injuring, or taking these species by any method.
- Intentionally or recklessly damaging or destroying these species' place of shelter or protection.
- Intentionally or recklessly damaging disturbing these species whilst they are occupying such a structure or place it uses for shelter or protection.
- Intentionally or recklessly obstructing access to these species' place of shelter or protection.
- Selling, offering for sale, or possessing or transporting for the purposes of sale, any live or dead Schedule 5 species, or any part or derivative, or advertising any of these for buying or selling.

All native reptile species in the UK are subject to partial protection from intentional or reckless killing or injury only.

The Act also includes provisions for the control of invasive non-native species (INNS). Under these provisions it is an offence to:

- Release or allow to escape into the wild any animal which is not ordinarily resident or a regular visitor to Great Britain or is included in Schedule 9 of the Act.
- Plant or otherwise cause to grow in the wild any plant which is included in Schedule 9 of the Act.

People undertaking works in proximity to invasive non-native plant species should take all reasonable steps and exercise all due diligence to avoid committing an offence.

The Invasive Alien Species (Enforcement and Permitting) Order 2019

The order came into effect on the 1 December 2019 to allow for enforcement of EU Regulations (Regulation (EU) No. 1143/2014 on the prevention and

management of the introduction and spread of invasive alien species in England and Wales) also known as the IAS Regulations.

There are currently 22 species listed in the Order:

- Chinese Mitten Crab *Eriocheir sinensis*
- Red Swamp Crayfish *Procambarus clarkii*
- Signal Crayfish *Pacifastacus leniusculus*
- Spiny-cheek Crayfish *Orconectes limosus*
- Muntjac Deer *Muntiacus reevesi*
- Ruddy Duck *Oxyura jamaicensis*
- New Zealand Flatworm *Arthurdendyus triangulatus*
- Egyptian Goose *Alopochen aegyptiacus*
- Pumpkinseed *Lepomis gibbosus*
- Grey Squirrel *Sciurus carolinensis*
- Himalayan Balsam *Impatiens glandulifera*
- Fanwort (otherwise known as Carolina Water Shield) *Cabomba caroliniana*
- Giant Hogweed *Heracleum mantegazzianum*
- Water Hyacinth *Eichhornia crassipes*
- Parrot's Feather *Myriophyllum aquaticum*
- Floating Pennywort *Hydrocotyle ranunculoides*
- Floating Water Primrose *Ludwigia peploides*
- Water Primrose *Ludwigia grandiflora*
- Giant Rhubarb *Gunnera tinctoria*
- Salvinia Moss *Salvinia molesta* (otherwise known as *Salvinia adnata*)
- Curly Waterweed *Lagarosiphon major*
- Nuttall's Waterweed *Elodea nuttallii*

Natural Environment and Rural Communities (NERC) Act 2006

The UK Biodiversity Plan (BAP) was a programme designed to help conserve the UK's biodiversity. It led to the production of 436 action plans between 1995 and

1999 to help many of the UK's most threatened species and habitats to recover. A review of the UK BAP priority list in 2007 led to the identification of 1,150 species and 65 habitats that met the BAP criteria at UK level.

Currently 56 Habitats of Principal Importance and 943 Species of Principal Importance are included within Section 41 of the NERC Act 2006 and these include species and habitats which were identified in the UK BAP and which continue to be considered to represent the conservation priorities of England in the UK Post-2010 Biodiversity Framework.

National Planning Policy Framework (NPPF) 2023

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Chapter 15 'Conserving and enhancing the natural environment' details what local planning policies should seek to consider with regard to planning applications:

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

174 a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

174 b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

174 c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

174 d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

174 e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

174 f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."

3. Methodologies

3.1. Desk Study

The below information was obtained from MAGIC¹:

- Information in relation to internationally designated sites within 2km of the site.
- Information in relation to nationally designated sites within 2km of the site.
- Granted European Protected Species (EPS) mitigation licences within 2km of the site.
- GCN Pond Surveys to inform for District Licencing within 2km of the site.
- GCN class licence returns within 2km of the site.

Due to the nature of the proposed project and the results of the site survey, the purchase of biological records data was not deemed necessary.

3.2. Preliminary Ecological Appraisal Survey

A PEA site survey^{2,3} was initially undertaken on 16 October 2024 with an updated survey being conducted 9 May 2025 by an experienced ecologist, Martyn Owen MCIEEM. The surveys were completed during suitable weather conditions (overcast and dry). Prior to completion of the survey aerial imagery was reviewed⁴ to provide an indication of habitat types present within the site and in the surrounding area.

During the survey all areas within the site and adjacent areas were walked and habitat types assessed. Signs of protected species, invasive plants (i.e. those included on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended))

¹ MAGIC (2020) [online] available at: www.magic.defra.gov.uk (accessed 15 October 2024)

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

³ CIEEM (2017) *Guidelines for preliminary ecological appraisal* [online] available at: <https://www.cieem.net/guidance-on-preliminary-ecological-appraisal-gpea-> (accessed 15 October 2024)

⁴ Google Maps [online] available at: <https://www.google.co.uk/maps> (accessed 15 October 2024)

and other notable species were also searched for, as well as noting habitats considered to have the potential to support protected species.

The ultimate purpose of this PEA was to identify potentially valuable habitats and plant species assemblages, and to identify the presence and/or potential for protected/controlled species. This report presents an assessment of the ecological significance of the features present and discusses the potential for the study area to support legally protected species and/or species of conservation interest which may be impacted by the project.

3.3. Bats – Ground Level Tree Assessment

A detailed assessment of the available tree roosting resource within the site and adjacent areas was completed using a Ground Level Tree Assessment (GLTA) to map and categorise all trees that may be impacted.

This method involved a detailed inspection of each tree during daylight from ground level to compile information about the tree, PRFs (or lack of) and any evidence of bats. The inspection of each tree was completed systematically and consistently around all parts of the tree (from all angles and from both close to the trunk and further away) and the results recorded electronically. Torches were used to illuminate shaded areas and assessment was assisted with the use of binoculars (8x magnification) and telescopes (32x magnification).

Trees were categorised according to the criteria detailed within **Table 1**.

Table 1. Guidelines for categorising the potential suitability of PRFs on a proposed development site for bats, to be applied using professional judgement

Suitability	Description
Potential Suitability of Trees, applied using professional judgement	
None/No	Either no PRFs in the tree or highly unlikely to be any.
FAR	Further Assessment Required (FAR) to establish if PRFs are present in the tree.
PRF	A tree with at least one PRF present.
Potential Suitability of PRFs, applied using professional judgement	
PRF-I	PRF is only suitable for individual bats or very small numbers of bats either due to size or lack of suitable surrounding habitats.
PRF-M	PRF is suitable for multiple bats and may therefore be used by a maternity colony.

3.4. Badger Survey

A Badger *Meles meles* activity survey, following the method outlined within Harris *et al.* (1989)⁵, was completed of all areas within the site and a buffer of 30m (when accessible). The presence of Badgers is indicated through observations of latrines, hair, prints and setts.

3.5. Great Crested Newt

The presence of a water feature in the vicinity of the site prompted the completion of a Habitat Suitability Index (HSI) assessment⁶ for Great Crested Newt (GCN) *Triturus cristatus*, which was completed concurrently with the PEA.

HSI assessment for GCN is a numerical index, between 0 and 1, and provides a measure of habitat suitability⁷. In general, ponds with high HSI scores are more likely to support GCN than those with low scores (**Table 2**). However, the system is not sufficiently precise to conclude that any particular pond with a high score will support GCN, or that any pond with a low score will not do so.

Table 2. Predicted presence of GCN based upon HSI results.

HSI Score	Pond Suitability	Predicted Occupancy (%)
<0.5	Poor	3
0.5-0.59	Below average	20
0.6-0.69	Average	55
0.7-0.79	Good	79
>0.8	Excellent	93

3.6. Limitations

The findings presented in this report represent those at the time of survey and reporting, and data collected from available sources. Ecological surveys can be

5 Harris, S., Cresswell, P. & Jefferies, D. (1989). *Surveying Badgers*. The Mammal Society
 6 Oldham, R.S., Keeble, J., Swan, M.J.S. and Jeffcote, M. (2000). *Evaluating the suitability of habitats for great crested newt (Triturus cristatus)*. Herpetological Journal 10 pp. 143-155.
 7 Amphibian and Reptile Groups of the United Kingdom (2010). ARG UK Advice Note 5 – Great Crested Newt Habitat Suitability Index

limited by factors affecting the presence of plants and animals, such as the time of year, migration patterns and behaviour.

Whilst not a full protected species or botanical survey, a PEA allows an experienced ecologist to obtain a sufficient understanding of the ecology of a site in order to either evaluate the conservation importance of the site, and assess the potential for impacts on habitats and species likely to represent a material consideration in planning terms, or to ascertain that further surveys will be required before such an evaluation can be made.

The absence of evidence of any particular species should not be taken as conclusive proof that the species is not present or that it will not be present in the future.

4. Results

The results of the desk study (**Section 4.1**) and the site survey (**Section 4.2**) are presented below.

4.1. Desk Study

4.1.1. Designated Sites

There were three statutorily designated sites, all Sites of Special Scientific Interest (SSSI), within the search area (**Table 3**).

Table 3. Statutorily designated site details

Site Name	Distance/Direction from Study Area	Details
Whiston Eaves SSSI	0.38km/S	<i>"The semi-natural grassland at Whiston Eaves is situated to the south of the village of Whiston...The Site encompasses a series of species-rich meadows, all of which have been traditionally managed as either hay-meadow of grazing pasture.... Although consisting predominantly of semi-natural grassland, the site does include areas of rush pasture, scrub and running water"</i>
Froghall Meadow and Pastures SSSI	1.01km/W	<i>"Froghall Meadow and Pastures is located in the steep-sided Churnet Valley to the east of Froghall. It consists of a series of unimproved, species-rich fields, showing a range of grassland types which are locally flushed, and areas of scrub"</i>
Churnet Valley SSSI	0.76km/N	<i>"The Churnet Valley SSSI....includes the steep sided main valley of the River Churnet and a number of tributary valleys. These valleys retain the largest remaining concentration of semi-natural ancient woodland in Staffordshire, intermixed with scrub, unimproved neutral and acid grassland and large areas of mire, marsh and carr. The area supports an outstanding assemblage of woodland birds"</i>

4.1.2. Flora and Fauna

Biological records data obtained from Magic.gov.uk are summarised within **Section 4.2** when relevant.

4.2. PEA Site Survey

4.2.1. Habitats

The site comprised predominantly of cattle-grazed pasture (**Photograph 1**) Common grasses (predominantly Perennial Rye-grass *Lolium perenne*) dominate, with occasional Creeping Thistle *Cirsium arvense*, Common Nettle *Urtica dioica*, dock *Rumex* spp and White Clover *Trifolium repens*. A dry-stoned wall and tock-proof fence formed the western and eastern boundaries of. A dwelling, outbuildings and associated driveway were present on the south of the site. A small 'pond' was shown on OS mapping to the west of the site, this was dry in May 2025 (**Photograph 2**).

Photograph 1. Cattle-grazed pasture (2024), the dominant habitat type on site



Photograph 2. Small livestock drinking pond (to the west of the site) shown on OS mapping. Dry on 9 May 2025



4.2.2. Habitat Evaluation

The habitats present within the study area common across England, and locally.

Biodiversity Net Gain (BNG) to achieve at least 10% net gain is required; a standalone report has been produced.

4.3. Protected and Notable Species

4.3.1. Bats

All trees within the site and in areas where disturbance impacts were considered possible were assessed to be of **NO** potential value (**Table 1**) to roosting bats.

4.3.2. Ground Dwelling Terrestrial Mammals

A comprehensive Badger survey did not identify any indication of presence within the survey area, although it is considered possible that Badger may use the site and the surrounding habitats for foraging/commuting on occasion. It is also possible that Hedgehog *Erinaceus europaeus* and possibly Polecat *Mustela putorius* may infrequently be present.

It is considered unlikely that the site supports any other Section 41 mammals with any regularity.

4.3.3. Amphibians

The desk study did not identify any granted EPS development licences in relation to GCN, though did identify 22 positive results from pond surveys (to inform GCN district licencing) within the search area. The nearest pond with confirmed presence of GCN was 0.64km north-east of the site.

A single small 'pond' was located in close proximity of the site (**Figure 2**). This pond was dry during the May 2025 visit and was consequently assessed to be unsuitable for GCN.

Figure 2. Pond Location



No other waterbodies were present within 0.25km of the site. GCN typically have a maximum routine migratory range of 0.25km from breeding waterbodies during terrestrial phases⁸ and further studies suggest that 95% of newt summer refuges are within 63m of breeding ponds⁹.

Terrestrial GCN Habitat Within Study Area

An assessment of habitats within the site for their suitability to support GCN and other amphibians was made with consideration of connectivity to optimal habitats.

8 Cresswell, W. & Warren, ER. (2004). An assessment of the efficiency of capture techniques and the value of different habitats for the Great Crested Newt *Triturus cristatus*. English Nature report

9 Jehle, R. (2000). The terrestrial summer habitat of radio-tracked Great Crested Newt *Triturus cristatus* and Marbled Newts *T. marmoratus*. Herpetological Journal 10: 137-142.

Development will be entirely restricted to grazed modified grassland and existing driveways. These habitats are sub-optimal for amphibians.

4.3.4. Reptiles

Habitats favoured by reptiles tend to be sunny, well-drained and often south-facing. Typical habitats include grass and heather heathland, chalk downland, coppiced woodland, sand dunes, disused allotments, suburban wasteland, road/railway embankments, golf course roughs, rough grassland, open woodland and woodland edge, immature plantation forestry, sea cliffs, moorland, disused quarries, non-intensive farmland and wild gardens. In addition, Grass Snakes *Natrix helvetica* favour damp habitats¹⁰.

The site is unsuitable for any reptilian species. Reptiles are not considered further.

4.3.5. Birds

The site and adjacent areas where disturbance could occur is considered unsuitable for any nesting Schedule 1 species. However, it is considered possible that a small number of common species could use the study area for nesting, within hedgerows.

No further survey work in relation to breeding/nesting birds is required. However, mitigation is required (Section 5) if works to potentially suitably nesting habitats will occur to ensure that a breach of relevant legislation does not occur.

4.3.6. Invertebrates

Given the nature of habitats within the site, it is considered unlikely that the site supports any important species/populations. Invertebrates are not considered further.

4.3.7. Invasive Plants

No invasive non-native species of plant (INNS) (listed on Schedule 9 of the Wildlife & Countryside Act 1981 (as amended)) were observed within the site and

¹⁰ Froglife (1999). *Froglife Advice Sheet 10; Reptile Survey. An introduction to planning, conducting and interpreting surveys for snake and lizard conservation*

the presence of such species is considered highly unlikely. INNS are not considered further.

5. Conclusions and Recommendations

A PEA site survey/complimentary desk study have been completed to inform the proposed construction of a new barn at The Grange, Whiston, Stoke-on-Trent, ST10 2JB. These surveys identified the below detailed ecological considerations/requirements, along with recommendations to ensure that the works are carried out lawfully and in such a manner to minimise ecological impacts.

5.1. General Mitigation

Standard pollution control measures should be implemented during construction to protect habitats on/adjacent to the site.

All works should be undertaken in accordance with Guidance for Pollution Prevention (GPP5) and PPG1 Understanding your Environmental Responsibilities.

If any protected species are encountered during the works, all work in the vicinity should stop immediately and a Suitably Qualified Ecologist (SQE) should be contacted for advice on how to proceed.

5.2. Statutorily Designated Sites

Three statutorily designated sites, all SSSIs, were identified within 2km of the Site boundary, namely Whiston Eaves, Churnet Valley, and Froghall Meadow and Pastures SSSIs. Taking into account the intervening distance, the nature of the proposed project and assuming environmental best practice during construction works no impacts are anticipated.

5.3. Habitats

The habitats present within the site are common across England, and locally, and were assessed to be of very limited intrinsic ecological value. BNG assessment to achieve 10% gain is required, and a BNG report detailing habitat retention, enhancement and creation has been prepared separately.

Retained trees should be protected in line with BS 5837:2012¹¹.

5.4. Bats

No features with the potential to support roosting bats were identified within areas of potential impact. In the unlikely event that bats are encountered during works all works must cease and the advice of a SQE sought immediately.

5.5. Badger and other ground dwelling fauna

The occasional presence of foraging Badgers and other ground dwelling fauna within the study area is considered possible. To ensure that no such species come to no harm during construction the following measures are recommended:

- covering trenches at the conclusion of each working day, or include a means of escape for any animal falling into excavations, and
- any temporarily exposed open pipe system should be capped in such a way as to prevent animals gaining access.

5.6. Amphibians

GCN are considered likely absent from the site given the absence of potential suitable breeding ponds within 0.25km. No further survey work in relation to GCN is considered necessary.

In the apparently unlikely event that any GCN or significant numbers of common amphibian species are disturbed during works, works must cease and the advice of a SQE should be sought.

5.7. Nesting Birds

The site could potentially be used for nesting by small numbers of common birds. The active nests of wild bird species (with certain exceptions) are legally protected from deliberate disturbance or destruction. If impacts to habitats with the potential to support nests (trees and hedgerows) are proposed for the bird nesting season (March-August inclusive), it would be necessary to appoint SQE to complete a check for active birds' nests. Should any active nests be found then it would be

¹¹ British Standards Institute BS 5837:2012. *Trees in relation to design, demolition and construction*.

necessary to delay works until the nesting attempt has reached a natural conclusion. If works are planned for outside of the bird nesting period, then no such check is necessary.

5.8. Report Validity

The findings of this report are considered valid until July 2027¹². If works are delayed beyond this date, then an updated assessment of potential impacts will be required.

¹² CIEEM (2019). *Advice Note on The Lifespan of Ecological Reports and Surveys* [online] available at: <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>