

Land at Walshaw Road, Bury 11034_R03a_Ecology Technical Note

1.0 Introduction

- 1.1. This note has been prepared by Tyler Grange Group Limited on behalf of HIMOR in response to an ecological walkover survey undertaken in June 2017 at the above-named site. The report was prepared in 2017, and all fieldwork was undertaken at that time. It has been updated in 2020 in relation to the latest development framework layout.
- 1.2. This report provides a high-level overview and advice relating to ecological matters in relation to the proposed future residential development of land to the north and south of Walshaw Road, Bury (hereafter referred to as 'the site').
- 1.3. This report is to be read alongside the **Habitat Features Plan (11034/P01a)** and photographs that are contained in this report.
- 1.4. This report does not constitute a comprehensive assessment of ecological issues, which would require additional fieldwork at the site.

2.0 Site Context

- 2.1. The site is located at the north-western edge of Bury, centred around OS grid reference SD779116, and extends to approximately 88 hectares (c.218 acres).
- 2.2. The site is dominated by fields bounded by hedgerows, with scattered trees. There are buildings on site, plus permanent- and ephemeral ponds, two brooks and field drains. There are also several parcels of semi-natural broadleaved woodland, and one Site of Biological Importance (SBI) falls within the south development area of the site.
- 2.3. In the wider context, the site is surrounded by residential development to the east, north and south, and open countryside to the west.

3.0 Planning & Legislative Context

Legislation

- 3.1. Specific habitats and species receive legal protection in the UK under various pieces of legislation, including:
 - The Wildlife and Countryside Act 1981 (as amended)
 - The Conservation of Habitats and Species Regulations 2010
 - The Countryside and Rights of Way Act 2000
 - The Natural Environment and Rural Communities Act 2006
 - The Hedgerows Regulations 1997
 - The Protection of Badgers Act 1992

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- 3.2. The European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, often referred to as the 'Habitats Directive', provides for the protection of key habitats and species considered of European importance. Annexes II and IV of the Directive list all species considered of community interest. The legal framework to protect the species covered by the Habitats Directive has been enacted under UK law through The Conservation of Habitats and Species Regulations 2010 (as amended).
- 3.3. In Britain, the WCA 1981 (as amended) is the primary legislation protecting habitats and species. SSSIs, representing the best examples of our natural heritage, are notified under the WCA 1981 (as amended) by reason of their flora, fauna, geology or other features. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants.
- 3.4. The CRoW Act 2000 strengthens the species enforcement provisions of the WCA 1981 (as amended) and makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site.

Local Planning Policy

- 3.5. The site falls within the administrative borough of Bury Metropolitan Borough Council. The Council's planning policies are set out in the Bury Unitary Development Plan (UDP) which was adopted in August 1997. It will be replaced by the Local Development Plan (LDP), which is currently being prepared.
- 3.6. Local Policies relating to ecology that will need to be considered as part of development proposals include:
 - **Policy EN6**: Conservation of the Natural Environment this aims to "*retain, protect and* enhance the natural environment of the Borough, particularly in relation to areas of ecological, wildlife and geological importance."
 - **Policy EN8**: Woodland and Trees this "supports the retention of trees, woods, copses and hedgerows and encourage natural regeneration and new and replacement tree planting throughout the Borough", ideally of locally native species.
 - Policy EN9: Landscape; and
 - **Policy EN10**: Environmental Improvement.
- 3.7. Specifically, **Policy EN6** aims to protect and enhance:
 - sites of nature conservation interest such as SSSIs, NNRs and SBIs (Policy EN6/1);
 - sites of nature conservation interest such as LNRs, SBIs (Policy EN6/2);
 - features of ecological value (Policy EN6/3) such as hedgerows, mature trees and ponds;
 - and wildlife links and corridors (Policy EN6/4).
- 3.8. The Bury Wildlife Strategy (approved 1993) "details the requirements and methods of management for sites of nature conservation value, as well as promoting the social, educational and environmental benefits accessible natural areas can bring to the local community."

4.0 Ecology Context

4.1. A site walkover survey was conducted on the 30th June 2017 by Georgina Palmer, an experienced field ecologist. The weather was dry and overcast, warm (14°C) and with a gentle breeze (Beaufort scale 2).

- 4.2. The methods used during the walkover survey broadly followed methods used in an 'extended' Phase I habitat survey. The technique is based upon Phase I survey methodology (JNCC, 2010). This 'extended' Phase I technique provides an inventory of the habitat types present and dominant species.
- 4.3. A desk based data search was conducted to identify any statutory and non-statutory sites present close to, or within, the site, which could present a potential constraint on development. This data search has been undertaken for a 10km radius around the site for European statutory sites, and a 2km radius for national statutory sites and non-statutory sites. Details of local wildlife sites were obtained from the Greater Manchester Local Record Centre¹.
- 4.4. For this high-level briefing note, no protected- or priority species data has been requested or received from the local records centre.
- 4.5. The survey was conducted from public footpaths, and so not all of the site was accessed during the initial site visit; details from the site visit were augmented by aerial maps to create the Habitat Features Plan 11034/P01a.

Statutory Protected Sites

- 4.6. There are no European designated sites within 10km of the site.
- 4.7. There is one locally-designated site within 2km of the site Kirklees Valley Local Nature Reserve (LNR), which is located 0.3km north of the site. This LNR contains a variety of habitats such as woodland, grassland, heathland, ponds, lodges and streams, which in turn support a variety of (protected) species including great crested newt (GCN) *Triturus cristatus* and bats². LNRs are of **local importance**.
- 4.8. Given the distance of the LNR from the proposed development site, and the fact it is located beyond Bury Road and existing residential buildings, it is unlikely that the development would lead to any impacts on this site.

Non-Statutory Protected Sites

- 4.9. Cyrus Ainsworth's Nurseries and Parker's Lodge Site of Biological Importance (SBI) is located within the southern development area of the site (see **Habitat Features Plan 11034/P01a**). This SBI encompasses a number of habitats including: mill lodges, deciduous woodland, grassland, and a brook. In turn, these habitats support a range of species. In particular, the SBI is important for over-wintering populations of redwings *Turdus iliacus* and fieldfares *Turdus pilaris*, and also supports a range of other bird species such as tawny owl *Strix aluco*, willow warbler *Phylloscopus trochilus*, swifts *Apus apus* and martins (see **Appendix 1** for full site details).
- 4.10. Japanese knotweed *Fallopia japonica* and Himalayan balsam *Impatiens glandulifera* both invasive non-native species have been recorded in the SBI, and were recorded on site during the initial site visit.
- 4.11. Sixteen other local wildlife sites lie within 2km of the site (see Table 1) the next closest to site are Cockey Moor Wood Pasture and Marsh SBI (0.2km away to the south-west) and Kirkleesbrook SBI (0.3km away to the north).
- 4.12. Given the nature of development proposals it is likely that the development would impact on the Cyrus Ainsworth's Nurseries and Parker's Lodge SBI within the site, but not the other wildlife sites within the search area.
- 4.13. A minimum offset of 15m between the Cyrus Ainsworth's Nurseries and Parker's Lodge SBI boundary and any development would be required.

¹ <u>https://gmwildlife.org.uk/mapapp/</u>

² http://www.lnr.naturalengland.org.uk/special/lnr/lnr details.asp?C=0&N=&ID=1699

Table 1. Sites of Biological Importance (SBI) within 2km of the site.

SBI Site names	
Ainsworth Lodge	Kirklees Brook
Barracks Lodge	Lower Hinds
Cockey Moor Wood Pasture & Marsh	Manchester, Bury & Bolton Canal
Cyrus Ainsworth's Nurseries and Parker's Lodge	Ponds off Cockey Moor Road
Daisyfield	Spen Moor Ponds
Elton Goyt	Starling Road Reservoir
Elton Reservoir	Townside Pond
Flushes at Springside	Wood at Bottoms Hall
Grassland near Brandlesholme Old Farm	

Habitats

- 4.14. The site supports the following habitats:
 - Amenity grassland;
 - Buildings;
 - Grassland (semi-improved);
 - Grassland (improved);
 - Hardstanding and bare ground;
 - Hedgerows and trees;
 - Semi-natural broadleaved woodland;
 - Waterbodies.
- 4.15. For ease of reference, habitat types have been described alphabetically, below. All the features described are shown on the **Habitat Features Plan 11034/P01**.
- 4.16. The site contains areas of invasive non-native species, specifically Himalayan balsam, in both the southern and northern development areas. Invasive non-native species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) (WCA, 1981). As such, it is an offence to keep, cultivate, breed, transport, sell or exchange, or release it, intentionally or unintentionally, into the environment. Bio-security control measures will need to be employed to ensure that non-native species present on site are not spread.

Amenity Grassland

4.17. The site contains areas of amenity grassland around buildings in both the north and south development areas of the site.

Buildings

4.18. The site contains many buildings in both the northern and southern development area. These include: the Boltholt Hotel, the Stables Country Club, plus barns, residential houses and farm houses (e.g. **Photographs 1a-f**, respectively).



Photograph 1a-f. Some examples of the buildings on site.

Grassland (semi-improved and improved)

- 4.19. The majority of the site consists of fields of semi-improved grassland (most of which was mown after the initial site visit) and fields of improved grassland which are horse- and sheep-grazed (see **Photograph 2a**). Some areas of grassland particularly in the north of the site are seasonally damp, and contain rushes *Juncus sp.* (see **Photograph 2b**).
- 4.20. Many of the field margins next to the hedgerows (see below) contain species such as rosebay willowherb *Chamerion angustifolium*, elder *Sambucus nigra*, nettle *Urtica dioica*, bramble *Rubus fruticosus*, cleavers *Galium aparine* and thistle *Asteraceae sp.*



Photograph 2a-b. Examples of fields of semi-improved and improved grassland on site.

Hardstanding and bare ground

4.21. The site encompasses some tarmacked roads (e.g. Walshaw Road which intersects the site), as well as gravel tracks, and hardstanding (see **Photographs 1a-b**, and **Photograph 3**).



Photograph 3. Gravel track alongside houses in the southern part of the site.

Hedgerows and trees

4.22. The majority of fields on site are bounded by hedgerows, which are dominated by hawthorn *Crataegus monogyna* (see **Photograph 4**), interspersed with occasional mature trees (see **Photograph 5**). Some of the hedgerows, particularly in the north of the site are defunct.



Photograph 4. Example of hedgerows on site.



Photograph 5. Mature oak Quercus sp. in hedgerow on site.

4.23. Hedgerows provide wildlife corridors throughout the site and connect to the wider landscape. Existing hedgerows and trees are recommended to be retained, and incorporated in to the sites green infrastructure layout, where possible.

Semi-natural broadleaved woodland

4.24. The site contains parcels of semi-natural broadleaved woodland in both the northern and southern development areas of the site. The woodlands contain species such as horse chestnut *Aesculus hippocastanum*, ash *Fraxinus excelsior*, lime *Tilia sp.*, oak Quercus *sp.*, holly *llex aquifolium*, sycamore *Acer pseudoplatanus*, and beech *Fagus sylvatica* (see e.g. **Photograph 6**).



Photograph 6. Example of semi-natural broadleaved woodland on site.

Waterbodies

- 4.25. The site contains ponds (both permanent and ephemeral), lakes, reservoirs, field drains, and two brooks (see **Photograph 7a f**).
- 4.26. During the survey the field drains in the south of the site were slow-flowing, shallow or dry, and overgrown (see **Photograph 7e**). Walshaw brook (see **Photograph 7f**) was shaded by mature trees, and had extensive areas of Himalayan balsam along its (earth) banks; it is approximately 2m wide, and at the time of the survey was approximately 20cm deep, with a slow-moderate flow.
- 4.27. Rivers and streams are considered a Priority Habitat and for this reason a minimum development offset of between 8m 15m is recommended between them and the development. This offset will also contribute to the prevention of impacts (e.g. pollution) extending beyond the boundary of the site.
- 4.28. The waterbodies on site should be protected from any pollution, such as dust or fuel spills, which could be generated by the development, as well as run off from the site which could provide additional pollution inputs post development.



(a) ephemeral pond



(b) ephemeral pond



(c) permanent pond



(d) lake



(e) ditch



(f) Walshaw brook

Photograph 7. Example waterbodies on site.

Habitats Adjacent to the Site

- 4.30. The site is immediately bordered by existing residential development. In the wider landscape, Bury city centre lies to the east of the site, and agricultural fields are present to the west of the site.
- 4.31. There are additional waterbodies off-site, but within 250m of the development.

Fauna

Badger

- 4.32. No evidence of badger (such as latrines, setts, hairs or prints) were recorded during the walkover survey. However, there are suitable habitats on- and adjacent to the site which have the potential to support badgers.
- 4.33. It is recommended that a badger survey is conducted prior to any development of the site to assess their status on the site.
- 4.34. Should badger sett(s) be found within the site prior to the commencement of works, it may be necessary to either provide a suitable buffer (up to 30m) to the sett(s) or to close off the sett(s) entirely, if providing a buffer is considered impractical. Should a sett closure be required a licence from Natural England will be required for the works. If badgers are found to be using the site for foraging, it is considered that there is adequate foraging habitat within surrounding areas and within the green infrastructure provision, and so no mitigation would be required.

Bats

- 4.35. The buildings on site are considered likely to support roosting bats. Mature trees are also present within the site, which could also support roosting bats.
- 4.36. All buildings and mature trees which are to be affected by the development should be subject to more detailed inspections prior to any planning application, and detailed nocturnal surveys conducted on any buildings or trees, where potential roost features exist.
- 4.37. The site is also likely to be used by foraging and commuting bats, particularly along the watercourses, woodland edges and hedgerows. As a result, bat activity surveys should be conducted at the site to ensure that development proposals do not lead to a reduction in habitat resources for bats.

Birds

- 4.38. The woodland, trees, hedgerows and fields present within the site are likely to provide nesting and foraging habitat for a range of species, including priority species such as dunnock *Prunella modularis* and song thrush *Turdus philomelos*. The site also has the potential to support populations of ground nesting birds such as skylark *Alauda arvensis* and lapwing *Vanellus vanellus*.
- 4.39. The site offers some foraging opportunities for barn owl *Tyto alba* particularly within the fields of open grassland. There are farm buildings including barns on site, which could also support breeding barn owls.
- 4.40. In general, given the site's suitability for birds, bird surveys may be required at the site prior to submission of a planning application to inform any potential mitigation which may be required. However, it will be necessary to consult with the LPA ecologist to ascertain if these surveys are required.

4.41. All wild birds, their nests and eggs are afforded protection under the WCA 1981 (as amended). As such the removal of woody vegetation and demolition of the buildings during the bird breeding season could trigger this legislation, which protects birds while actively nesting. Development proposals should therefore include measures for timing vegetation clearance and demolition works to avoid the bird breeding season where possible, or other measures to avoid disturbance to breeding birds where works have to proceed whilst birds are likely to nesting.

Great Crested Newt and other amphibians

- 4.42. There are (permanent) waterbodies on site and within 250m of the development. Hedgerows, woodland edges, and grassland all provide high quality terrestrial habitat for GCN.
- 4.43. The ponds should be assessed for their suitability to support GCN using the Habitat Suitability Index (HSI) and full GCN presence / absence surveys should be conducted on the ponds if they are considered suitable for GCN.
- 4.44. In the absence of this data it is not possible to predict the extent of mitigation required for GCN (if present). The Green Infrastructure provision indicated within the development framework could provide opportunities to replace/enhance terrestrial habitat for GCN and allow for dispersal of GCN through the landscape. The scale and type of GI would need to be proportionate to the size of GCN populations present. Typically, Public Open space requirements do not match the requirements of GCN habitat so specific areas of land (centred around ponds) would usually need to be designed specifically and entirely for GCN mitigation and green networks provided through the site to allow for continued GCN dispersal.
- 4.45. Pond retention/enhancement should also be sought and if any pond loss is required, this would need to be replaced on a like-for-like basis, which should be possible within the GI provision indicated.

Otter and water vole

- 4.46. A search of local ecological records should be undertaken to see if there are any occurrences of otter *Lutra lutra* or water vole *Arvicola amphibious* locally, and then consultation with the local planning authority ecologist should be undertaken to discuss whether surveys for these species would be required to inform a planning application.
- 4.47. Public access along the watercourses should be minimised to prevent any disturbance from dogs. Rivers and streams are considered a Priority Habitat and for this reason a minimum development offset of between 8m 15m is recommended between them and the development. This offset will minimise disturbance to these species, if present.

Reptiles

4.48. Some habitat for reptiles is present along the woodland edges and in the grassland on site. A search of local ecological records should be undertaken to see if there are any occurrences of reptiles locally, and then consultation with the local planning authority ecologist should be undertaken to discuss whether surveys for reptiles would be required to inform a planning application.

5.0 Conclusion

5.1. Whilst it is appreciated that this is only a broad level assessment, and no protected species surveys have been undertaken, this technical note has demonstrated that development within the proposed site could be accommodated, with respect to ecological matters.

- 5.2. It is considered that a residential development could be accommodated within the areas of grassland, mainly on the western sides of the site. Where possible, waterbodies, woodland, scattered trees, and hedgerows should be retained, and enhanced.
- 5.3. The Cyrus Ainsworth's Nurseries and Parker's Lodge SBI is located in the eastern section of the southern development area of the site. A minimum offset of 15m between the SBI boundary and any development would be required.
- 5.4. Bio-security control measures will need to be employed to ensure that non-native species which were recorded on site, are not spread during development.
- 5.5. In line with National Planning Policy Guidance, protected species surveys for bats, badgers, great crested newts, will need to be undertaken before construction commences. Mitigation in respect of badgers and bats can normally be easily accommodated within green infrastructure proposals for development, particularly given the recommendation to retain woodland habitat. Surveys for breeding birds, otter, water vole and reptiles may be required but this is subject to consultation with the local planning authority ecologist.
- 5.6. With the above conclusions taken into account and with respect to ecological matters, this site should therefore be considered suitable for residential development.

Appendix 1: Citation for Cyrus Ainsworth's Nurseries & Parker's Lodges Sites of Biological Importance

	BIOLOGICAL IMPORTANCE Greater Manchester Ec Offices, Wellington Road, ASHTO (Private & Confide	cology Unit ON-UNDER-LYNE OL6 6DL			
SITE NAME : Cyrus Ainsworth's Nurseries & Parker's Lodges		DISTRICT : Bury			
LOCATION : Elton	GRID REF : SD782110	GRADE : B			
	SITE DESCRIP	TION			
The site supports a number of	habitats with industrial origins inc	luding, mill lodges and an unmanaged nursery.			
natural in origin. Tree specie lime, ash and occasional hors good shrub layer of holly, hav regeneration of trees and shru the ground flora with brambl open areas the grassland is occasional sweet vernal grass	es include oak, sycamore, crack w the chestnut. Some of the trees, parti- withorn, elder, privet, roses and haze bis is good, particularly holly. Cree e and <i>Dryopterid</i> ferns. Wetter are to coarser and includes false oat-	eiduous woodland, which is both planted and sem illow, beech, poplars, aspen, birch, cherry, rowa icularly the beech are very mature. There is a ve- el. The invasive rhododendron is also present. Th ping soft-grass and bluebell are locally dominant eas support soft rush and tufted hair-grass. In mo grass, Yorkshire fog and cock's-foot with son lder, hogweed and common sorrel. Both Japane a areas outside the SBI.			
support a broadly similar r pondweed, <i>Cladophera</i> algae including locally abundant yellowflag iris, bulrush (<i>Typ</i>	ange of species. There is limited and common duckweed. There is a common spike rush and water	by Elton Brook. The two larger lodges, to the ea d submerged/floating aquatics including Nuttal a well developed marginal and emergent vegetation horsetail. Other species include: water plantai earwort, water mint, sneezewort, lady fern, mar so been recorded.			
and the other has less than 2	5% open water. There are extensiv	One is almost entirely colonised by goat willow ca ve swamps of bulrush with other species includin tersweet, flote grass and water forget-me-not.			
All the lodges are surrounded to a large extent by dense woodland and scrub of sessile oak, ash, birch, hawth and sycamore and some exotic species. Unusually, crab apple has been recorded along the northern bank of largest reservoir. Open areas around the lodges and along the paths are dominated by acidic grading in parts neutral grassland. This supports wavy hair-grass, mat-grass, common bent and sweet vernal grass. Other specific include: hard fern, meadow vetchling and knapweed. Lemon-scented fern has also been recorded.					
Small areas of tall herb veget invasive Himalayan balsam a		sweet Cicely, rosebay willowherb, and nettle. T			
Invertebrates observed on t damselfly. Speckled wood bu		nd brown hawker dragonflies and common bl			

SITES OF BIOLOGICAL IMPORTANCE IN GREATER MANCHESTER Greater Manchester Ecology Unit Council Offices, Wellington Road, ASHTON-UNDER-LYNE OL6 6DL (Private & Confidential)								
SITE NAME : Cyrus Ainsworth's Nurseries & Parker's Lodges DISTRICT		DISTRICT : Bury						
LOCATION : Elton	GRID REF : SD782110	GRADE : B						
SITE DESCRIPTION								
The site provides a good variety of habitats for birds. Of particular note, is the over-wintering roost of redwings and fieldfares in the nursery. This is considered to be one of the best areas in the borough for these species. Other breeding birds include tawny owl, willow warbler, chiffchaff, chaffinch and bluetit. The lodges support breeding coot and mallard. Heron, swifts and martins visit the lodges to feed. The largest lodge regularly supports a pair of mute swan in the breeding season although, there are no records of successful breeding. The site supports breeding fox.								
The majority of the site is very secluded, considering the density of urban development in the vicinity. There is public access at the western end of the site and the larger lodges are fished by an angling club.								
The present site description is based of the Bury Phase I Habitat Resurvey 20	on two survey visits in 1998 and 2001. 01.	Additional field data was supplied by						
		Page 2 of 2						

Ref: CURRENT SBIS/BURY/C20/C20-1

Date: 31.8.01



CD: SBI MAPS/CURRENT SBI MAPS/C-BURY/C20-4

Date: 31.8.01

	G	REATER MANCHI	ANCE IN GREATH ESTER ECOLOGY UN AD, ASHTON-UND CONFIDENTIAL)	пт		-	
SITE NAME : Cyrus Ainsworth's Nurseries & Parker's Lodges		DISTRICT : Bury					
LOCATION : Elton				GRID RE	GRID REF : SD782110		
GRADE : B	AREA (H	(A) : 8.0	ALTITUDE (M) : 1	10	DATE : 31.8.01		
STATUS :		SURVEYOR : T R	Hughes	INITIAL	SURVEY I	DATE : 6.81	
No OF REVISIONS : 2		OWNER : Private		DISTRICT REF : C20			
HABITATS PRESENT		Area (ha)	FEATURES OF	NTERES	т	Importance	
Woodland broadleaved (semi-	nat)	1.2	Vegetation type			1	
Woodland plantation		2.3	Ferns			1	
Scrub		0.3	Bryophytes				
Acid grassland		0.1	Fungi				
Neutral/basic grass (species-rio	ch)		Mammals				
Neutral/basic grass (species-po	oor)	0.1	Birds			2	
Tall herbaceous		0.1	Amphibia				
Ericaceous heath			Reptiles				
Bog			Lepidoptera				
Marsh/fen		0.1	Odonata			1	
Reedbed		0.2	Other invertebrates				
Lake/pond/dam		3.5	Geological				
Canal			Other				
River/stream/ditch		0.1	Other				
Quarry/cliff/rock/wall							
Ruderal							
Other							
AREA Areas of habitat covering less than 0.1ha. recorded as 0.01 COMPLETE FOR CAINS AN		IMPORTANCE Blank - Not known 1 - Small but significant 2 - Substantial 3 - Great ND PARTIAL LOSSES ONLY					
Loss since Last Survey :			Loss since First Su				
Primary cause :		Secondary cause :					
Gain since Last Survey : 4.3		Gain since First Survey : 4.3					
Primary cause : Habitat reassessment		Secondary cause :					
Net change since Last Survey : +4.3		-		Net change since First Survey : +4.3			

Plan

Habitat Features Plan 11034_P01a



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- Site Boundary
- SBI Boundary
- A Amenity Grassland
- Building
- ---- Drain
- Hardstanding & Bare Ground
- Hedgerow
- Hedgerow (defunt)
- I Improved Grassland
- Scattered Trees
- SI Semi-improved Grassland
- Semi-natural Broadleaved WoodlandWaterbodies

