

Riddle Pit Farm, Hepworth

Bird and Bat Assessment

20th March 2020



Prepared by:

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Site Name Riddle Pit Farm	Location Flint Lane, Hepworth HD9 2TR
Local Authority Barnsley Metropolitan Borough Council	Grid Reference SE 17063 04187
Surveyor Peter Middleton MCIEEM	Date of Survey 18/03/2020
National Character Area (NCA) NCA 37: Yorkshire Southern Pennine Fringe	Designation of Site 34m from Western Moors LWS. 1.8km from South Pennines SPA, SAC SSSI
Phase 1 Habitat Types on Site J6 Buildings and hard surface Adjacent offsite habitats include B5 Marshy grassland and B2.2 Semi improved grassland	
Protected/Notable Species, Constraints on Site Wading birds	

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1. Summary

- 1.1.1 The Bird and Bat Assessment for a site at Riddle Pit Farm, Flint Lane between Hepworth and Carlecotes was commissioned by the owner and client Philip Lofthouse on 16th March 2020.
- 1.1.2 The survey was commissioned to inform a planning application for a change of use of an existing barn to a venue for weddings. The proposed change of use will not result in the land take of semi natural habitats.
- 1.1.3 The boundary of the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA) is approximately 1.9km southwest of the site. The site is also located within 34m of the Western Moors Local Wildlife Site (LWS).
- 1.1.4 The surveyed barn has negligible potential to support roosting bats and no direct impacts upon semi-natural habitats are envisaged. The adjacent rush pasture fields do however support a range of nesting birds including
- 1.1.5 No impacts upon birds for which the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA) was designated are envisaged.
- 1.1.6 Weddings would however have potential to result in disturbance to a range of wader species as a result of either increases in noise levels, increases in human presence on site and/or increases in vehicle movements.
- 1.1.7 Outside of the peak nesting season (mid-March to June inclusive), impacts to wading birds will be minimal and it is considered that providing the two mitigation measures detailed below are enacted, then any residual impacts will be minimal:
- The building should have acoustic panels installed in the roof and on the walls to prevent noise pollution extending beyond the building.
 - Access for visitors should be limited to areas where potential disturbance to foraging and nesting birds will not occur. This comprises land access to the east of the barn only. Fencing may be used to restrict guests to this area.
- 1.1.8 The potential for weddings to result in disturbance to wading birds during the peak nesting period (mid-March to June inclusive) is more difficult to determine and cannot be effectively modelled. In order to ensure sensitive breeding wading bird species are protected from disturbance, it is recommended that monitoring surveys are undertaken both prior to and during the first two weddings held at this venue during the peak breeding season. This requirement could be subject to a planning condition. If the monitoring surveys were to show significant changes in the behaviour of key bird species as a result of the weddings, then either seasonal restrictions would be recommended, or additional mitigation measures may be required.

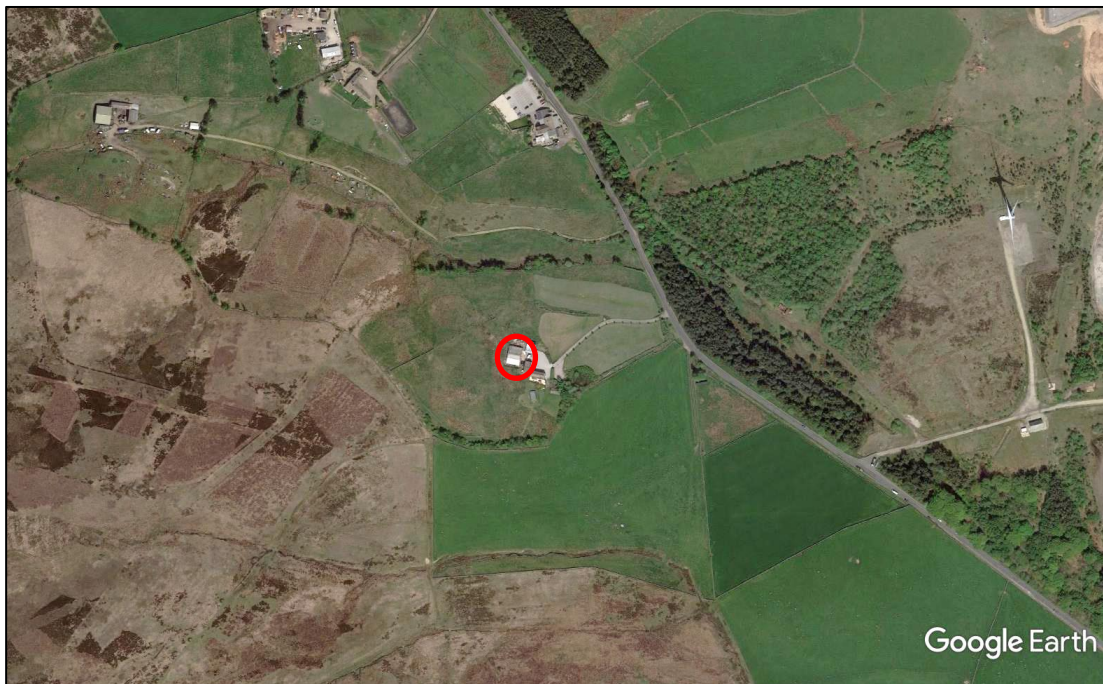
2. Introduction

- 2.1.1 This bird and bat assessment for a site at Riddle Pit Farm, Flint Lane, between Hepworth and Carlecotes, was commissioned by the owner and client Philip Lofthouse on 16th March 2020. The survey was commissioned to inform a planning application for a change of use of an existing barn to a wedding venue. The proposed change of use will not result in the land take of any adjacent semi natural habitats.
- 2.1.2 The report has been requested by Barnsley Metropolitan Borough Council as the site is within 2km of the South Pennine Moors: Special Protection Area (SPA), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The site is also only 34m south and 110m east of the boundary of the Western Moors Local Wildlife Site (LWS) (see Appendix 2).
- 2.1.3 The purpose of this report is to present the results of a site visit and desk study which has informed an assessment of potential ecological impacts associated with the scheme, particularly to wading birds for which the SPA is designated. Mitigation, compensation and enhancement measures are detailed.
- 2.1.4 Key legislation relating to designated sites and protected species and habitats is presented in Appendix 1. The implications of legislation are detailed in the body of the report where necessary.

3. Site Description

- 3.1.1 The application site is at Riddle Pit Farm and is situated in a rural location within the inbye land surrounding the South Pennine Moors, off Flint Lane between Carlecotes and Hepworth near the border between South and West Yorkshire. The proposals relate to a modern steel framed agricultural building with a single skin concrete block wall beneath a pitched corrugated asbestos cement roof. There are to be no direct impacts upon semi natural habitats adjacent to this building, however, portaloo's will be placed on adjacent hard surfacing, whilst a farmhouse is located adjacent to the surveyed barn (see Appendix 1, Figure 1 and Plates 1 to 4).
- 3.1.2 The land to the west of the application site (barn) rises towards the nearby moorland (included in the Western Moors LWS) which is located beyond a boundary drystone wall. The field adjacent to the barn comprises rush pasture, containing an extensive wet area of rush *Juncus*. This field has not been grazed in recent years but is cut annually. Land to the north and south of the barn comprises the same habitat.
- 3.1.3 The site falls within National Character Area 37: The Yorkshire Southern Pennine Fringe National Character Area (NCA) is a transitional landscape from the upland areas of the Southern Pennines NCA in the west through to the low-lying land of the Nottinghamshire, Derbyshire and Yorkshire Coalfield NCA to the east.
- 3.1.4 The soils in the area comprise slowly permeable wet acid upland soils with a peaty surface.

Figure 1. The site location, as indicated by red circle



4. Methodology

4.1 Data Consultation

4.1.1 Barnsley Biological Records Centre (BBRC) were contacted to request the following information for locations within a 1.5km radius of the site:

- Protected and notable species records
- The boundaries of non-statutory designated sites of nature conservation interest

4.1.2 A search of the Multi-Agency Geographical Information for the Countryside (MAGIC) website was undertaken to determine the following:

- The boundaries of statutory designated sites of nature conservation interest within 2km of the site
- The locations of historic European Protected Species (EPS) licences granted by Natural England

4.2 Field Survey

4.2.1 A visit to the site was made on 18th March 2020 by the following personnel:

- Peter Middleton (MCIEEM)

4.2.2 Given that no semi natural habitats will be lost, and the application is for a change of use of an existing building that requires no additional work or modifications, an extended Phase 1 survey approach was considered unnecessary. Instead, a walkover inspection of adjacent habitats was undertaken to inform an assessment of their

potential to support breeding birds. The building’s potential to support roosting bats was also considered.

- 4.2.3 Ariel photographs (Google Earth) were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey.

Methods of assessment

- 4.2.4 The value and sensitivity of ecological features present on site were determined based on the guidance given in ‘Guidelines on Ecological Impact Assessment’ (CIEEM, 2016). Individual ecological receptors (habitats and species that could be affected by the development) for the scheme were assigned levels of importance for nature conservation. The highest level is international, then decreasing in order of importance through national, regional, county, local and lastly site.

4.3 Survey Limitations

- 4.3.1 Considering that the application site comprises only buildings and hard surface, no significant limitations to an effective survey were identified.

5. Ecological Baseline

5.1 Data Consultation

- 5.1.1 Non-statutory designated sites present within 1.5km of the site and statutory designated sites of importance to conservation located within 2km of the site are detailed in Table 1.

Table 1. Designated sites

Designation	Name	Interest	Distance and direction to site
Local Wildlife Site (LWS)	Western Moors	Acid grassland, heath and bog and various birds	110m west and 34m north
Special Protection Area (SPA)	Peak District Moors (South Pennine Moors Phase 1)	Designation primarily due to presence of short eared owl <i>Asio flameus</i> , merlin <i>Falco columbarius</i> and golden plover	1.9km southwest
Special Area of Conservation (SAC)	South Pennine Moors	Selected due to presence of European dry heath, blanket bogs, old sessile oak woods, North Atlantic wet heaths and transition mires and quaking bogs	1.9km southwest
Site of Special Scientific Interest (SSSI)	Dark Peak	Designated for a range of upland habitats and the bird and invertebrate communities they support	1.9km southwest

- 5.1.2 The areas of moorland included in the SPA, SAC and SSSI designation are of European level importance to habitats and several bird species, whilst the Western Moors LWS is of district level importance for the range of habitats and birds.

- 5.1.3 A consideration of the scheme's potential to impact designated sites is presented in Section 6 of the report.
- 5.1.4 Records of protected and notable species obtained are discussed in the species accounts within the results section.

5.2 Field Survey

- 5.2.1 Site habitats (buildings and hard surface) are no more than site level importance to nature conservation. The site is unlikely to be of greater than site level importance to any faunal species group. Adjacent offsite habitats (adjacent fields) and moorland habitats beyond 110m west are of district importance to nature conservation predominantly, due to their value to breeding wading birds.
- 5.2.2 A detailed description of the site habitats and adjacent offsite habitats together with the site and off-site habitats potential to support wading birds and bats is provided below.

Site Habitats

J3.6 Buildings

- 5.2.3 The building subject to the planning application and change of use comprises a steel framed modern barn beneath a pitched corrugated asbestos cement sheet roof. The building has a footprint of 182m² and has single skin concrete block walls with vertical wood cladding above (Plate 1). On the south elevation is an extension with a mono-pitched sheet metal roof used for storage.

Plate 1. East elevation of barn showing hard surface in foreground



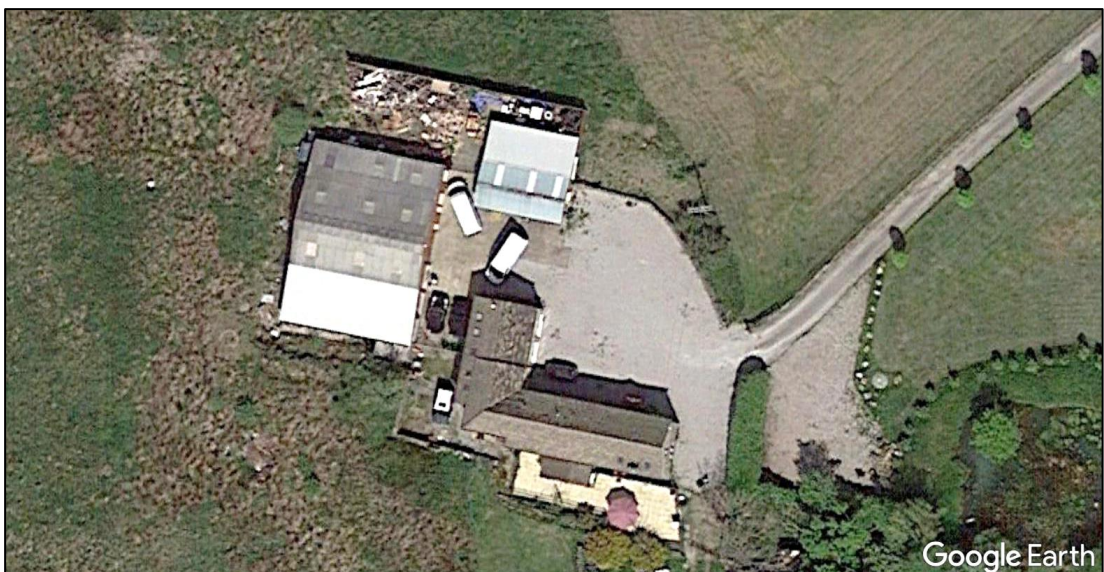
Plate 2. North elevation of barn



J4 Bare ground (hard surface)

- 5.2.4 There is a large area of hard surface in front of the barn and farmhouse comprising mostly concrete (see Plate 1 & 3). It is proposed that this area is used for parking vehicles.

Plate 3. Riddle Farm, the barn is on the left



Off-site habitats

- 5.2.5 The grassland between the application building and the moorland to the west comprises semi improved neutral grassland containing an abundance of rush *Juncus* (35%). The former rush pasture has not been grazed for a number of years but is cut annually. There is no evidence of the presence of fine leaved grasses (acid grassland species) in the sward which would have formally been present before nutrient enrichment. The grassland appears species poor (see Plate 5). Land to the north (included within the LWS) also comprises rush pasture.

Plate 4. Planted trees on the border of adjacent field, Western Moors LWS to the right of wall (the view south)



Plate 5. Photo from boundary with LWS looking towards the application (building)



Species and species groups

Bats

- 5.2.6 There are three buildings on site (see Plates 1 & 3) which include a barn (application building), farmhouse and a timber built stable. Only the barn is subject to this planning application.
- 5.2.7 The steel framed barn and the timber built stable lack significant features with potential to accommodate roosting bats and were assessed as offering a negligible level of bat roost potential. The masonry of the traditionally built stone farmhouse has been well maintained and lacks features with potential to accommodate roosting bats. However, there is potential access for bats at the wall top behind gutters at eaves level and probably at various locations on the stone slate roof. This building displays a low diversity but moderate number of roost features and was considered to offer a low/moderate level of bat roost potential. The site and its immediate surroundings provide sub-optimal bat foraging habitat.

Birds

- 5.2.8 Records of golden plover, common snipe *Gallinago gallinago*, lapwing *Vanellus vanellus* and curlew *Numenius arquata* were provided by BBRC for locations within 1.5km radius of the application building. Other notable species records provided by BBRC for locations within a 1.5km radius of the application building include grey partridge *Perdix perdix*, starling *Sturnus vulgaris*, skylark *Alauda arvensis*, linnet *Carduelis cannabina* and house sparrow *Passer domesticus*.
- 5.2.9 No red listed species within the Birds of Conservation Concern (Eaton *et al.*, 2015) or any other species were recorded on the site itself (application building).
- 5.2.10 Both curlew and common snipe were heard from locations in excess of 130m west of the application building (within the LWS) during the site visit. Both species have territories close to the application building and curlew will almost certainly forage in the field adjacent to the barn on occasions. Whilst there is optimum breeding habitat for common snipe present adjacent to the application building, the extensive area of rush is unlikely to be used for nesting by this species because of its close proximity to buildings. Furthermore, the owner walks his dogs in this field which will cause disturbance. Reed bunting *Emberiza schoeniclus* may however breed in this area adjacent to the application building.

6. Assessment

6.1 Proposals

- 6.1.1 The proposals are for a change of uses of a barn to a venue for weddings. Portable toilets will be placed on hard surface adjacent to the barn and visitors will use the existing parking area in-front of the farmhouse. No natural or semi natural habitats will be impacted by the change of use.

6.2 Assessment of Impacts

- 6.2.1 No impacts upon the SPA are anticipated as the potential will not impact bird species for which this area is designated. Golden plover breeding on the LWS (Tinkers Hill) will not be impacted as they breed at a higher elevation (over 400m) further away from the application building (Pearce & Middleton 2018). No foreseeable impacts upon merlin and short-eared owl are anticipated as both these species breed and forage on moorland where there is an abundance of suitable prey (meadow pipits and voles respectively). The habitats for which the SAC and SSSI are designated will not be impacted by the proposed scheme due to the nature and scale of the proposal.
- 6.2.2 The species most likely to be impacted by the proposals comprises curlew as this species breeds and forages on the moorland edge and inbye land.
- 6.2.3 No impacts are anticipated upon roosting and/or foraging bats because of the nature and scale of the proposals.
- 6.2.4 Potential impacts of the development are considered to comprise:
- Potential periodical short-term disturbance to nesting and foraging wading birds to the west and north of the application building caused by occasional potential noise from the venue.

- Temporary short-term increase in vehicle movements onto and out of the site prior to and after events.
- Periodical short-term increase in human presence on site following the change of use, has the potential to displace breeding and foraging wading birds.

6.2.5 The sensitive time for wading birds is between April and the end of June for common snipe, curlew and golden plover and March to June for lapwing (Pearce & Middleton 2018), this is the time when they are incubating eggs and rearing young.

6.2.6 Without mitigation the importance of potential impacts upon breeding common snipe, curlew and possibly lapwing within the adjacent LWS are difficult to quantify.

6.2.7 Methods to avoid or mitigate for the impacts detailed above are discussed in Section 6.3

6.3 Further Survey and Mitigation

6.3.1 In order to avoid or mitigate ecological impacts of the scheme, it is advised that the following recommendations are adopted:

- The building should have acoustic panels installed in the roof and on the walls to prevent noise pollution extending beyond the building.
- Access for visitors should be limited to areas where potential disturbance to foraging and nesting birds will not occur. This comprises land access to the east of the barn only. Fencing may be used to restrict guests to this area

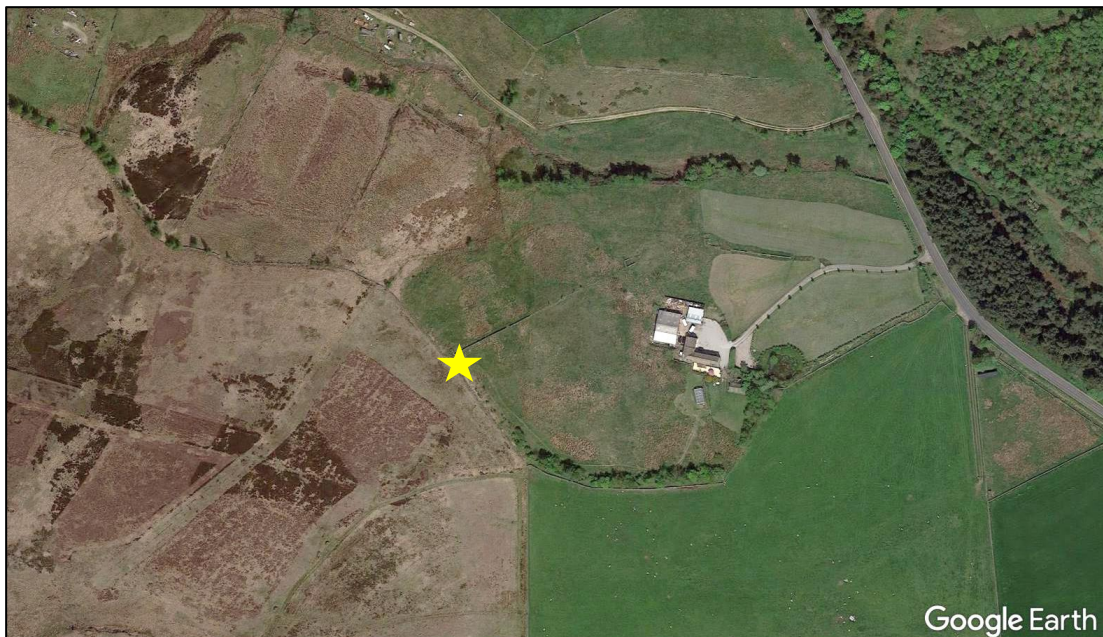
6.3.2 Outside of the peak nesting season (mid-March to June inclusive), impacts to wading birds arising from the proposed development will be minimal and it is considered that the two mitigation measures detailed in Section 6.3.1 will control any residual impacts.

6.3.3 The potential for weddings to result in disturbance to wading birds during the peak nesting period (mid-March to June inclusive) is more difficult to determine. It is not considered that potential disturbance impacts of a wedding can be effectively replicated, whilst surveying the impacts of a wedding upon birds outside the peak nesting period would not provide relevant information on bird behaviour.

6.3.4 In order to ensure sensitive breeding waders are protected from disturbance, it is recommended that monitoring surveys are undertaken both prior to and during the first two weddings held at this venue during the peak breeding season. This requirement could be subject to a planning condition. If the monitoring surveys were to show significant changes in the behaviour of key bird species as a result of the weddings, then either seasonal restrictions would be recommended, or additional mitigation measures may be required.

6.3.5 These monitoring surveys should comprise a series of three-hour vantage point surveys undertaken from the location indicated in Figure 2, with a pre-event survey undertaken 24 hours prior to the event, followed by a second survey during the event itself. Similar surveys have previously been conducted by the report's author to assess the impacts of military helicopters on breeding moorland birds, with useful information on disturbance being generated.

Figure 2. Vantage Point location, as indicated by yellow star



6.4 Enhancements

6.4.1 In accordance with the aims of planning policy NPPF: 15, it is suggested that the client/owner follows the recommendations detailed below. These measures could be secured by a suitably worded planning condition. Please note that the enhancements have been informed by the results and findings of the field survey and data consultation.

- Two woodcrete house sparrow terraces and two bat boxes should be installed on site buildings (not the stable). Bat boxes should be installed as high as possible under eaves on south or west elevations, with sparrow boxes on east elevations. No boxes should be cited above windows or doors.

6.5 Conclusion and Residual Effects

6.5.1 It is recommended the two mitigation measures detailed in Section 6.3.1 of this report be adopted. It is expected that with these mitigation measures in place, residual impacts to birds outside of the peak nesting period will be minimal.

6.5.2 The potential for weddings to result in disturbance to wading birds during the peak nesting period (mid-March to June inclusive) is difficult to confidently determine. It is recommended that monitoring surveys are undertaken during the first two weddings held during the peak nesting period, to inform either wedding season timing restrictions or the need for further mitigation.

7. References:

Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines. The Bat Conservation Trust.

Eaton MA, Aebischer NJ, Brown AF, Hearn RD, Lock L, Musgrove AJ, Noble DG, Stroud DA and Gregory RD (2015) Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and Isle of Man. *British Birds* 108, 708–746.

Pearce, D M and Middleton, P. (2018) Atlas of Breeding Birds in the Barnsley Area 2006 - 2011. Barnsley Bird Study Group.

Appendix 1. Relevant Legislation and Policy

Wildlife legislation relating to statutory designated sites and species is summarised in Table A1 and A2 below. This legal information is intended for summary only, and the original legal documents should be consulted if a detailed understanding is required.

Table A1. Legislation relating to designated sites and habitats

Designated Site	Legal Status
Special Area of Conservation (SAC)	SACs are strictly protected areas which have been identified as best representing the range and variety within the European Union of habitats and (non-bird) species listed in Annexes I and II of the EC Habitats Directive. The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 are the legal instrument for implementing the Habitats Directive in the UK. SACs are of at least European importance to nature conservation.
Special Protection Area (SPA)	SPAs are strictly protected sites classified in accordance with Article 4 of the EC Directive on the Conservation of Wild Birds (79/409/EEC), also known as the Birds Directive. They are classified for rare and vulnerable birds, listed in Annex I of the Birds Directive, and for regularly occurring migratory species. The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 are the legal instrument for implementing the Birds Directive in the UK. SPAs are of at least European importance to nature conservation.
Site of Special Scientific Interest (SSSI)	SSSIs are the national suite of sites providing statutory protection for 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 have been re-notified under the Wildlife and Countryside Act 1981 (as amended). Improved provisions for the protection and management of SSSIs were introduced by the Countryside and Rights of Way Act 2000. SSSIs are of at least national importance to nature conservation
Local Wildlife Site (LWS)	While they have no direct legal status, Local Wildlife Sites are considered important enough to receive recognition within the planning system. National planning policy requires local authorities to identify Local Wildlife Sites and provide for their protection through local policy.
Hedgerows	Hedgerows that meet certain criteria are protected by The Hedgerows Regulations 1997, under which it is an offence to remove or destroy such hedgerows without permission from the Local Planning Authority.

Table A2. Legislation relating to species

Species	Legal Status
European protection	
European Protected Species (EPS) (including bats, Great Crested Newt (GCN), otter and hazel dormouse)	<p>These animal species and their breeding sites or resting places are protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2017, which makes it illegal to:</p> <ul style="list-style-type: none"> • Intentionally or deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs. • Deliberately disturb such an animal. • Damage or destroy a breeding site or resting place of such an animal.

Species	Legal Status
	<p>European Protected Species (EPS) licences 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:</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>Under Regulation 9(5) of the Conservation Regulations, Planning Authorities have a legal duty to 'have regard to the requirements of the EC Habitats Directive in the exercise of their functions'. This means that they 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. As a consequence, Planning Applications for such developments must demonstrate that the 3 tests will be passed.</p> <p>Natural England also allow sites to be registered on the Bat Low Impact Class Licence to permit activities that would otherwise be unlawful under the Conservation Regulations where the 3 tests can be passed and the bat roosts to be impacted are of low conservation status.</p>
National protection	
European Protected Species and other species including water vole and white clawed crayfish	<p>These animals receive full protection under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to 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 by any such animal; and • Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.
Common amphibians and reptile species	<p>These animals receive limited protection under The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal to intentionally kill or injure any such animal.</p>
Badger	<p>The Protection of Badgers Act 1992 makes it illegal to wilfully kill or injure a Badger or attempt to do so and also make it illegal to intentionally or recklessly interfere with a Badger sett. This includes damaging or destroying a sett, obstructing access to a sett and disturbing a Badger while it is occupying a sett. Licences can be granted by Natural England to permit sett closure and/or disturbance between July and November inclusive.</p>
Schedule 1 birds	<p>Special penalties relate to offences concerning birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). In addition to the offences detailed below relating to all wild birds, it is illegal to intentionally or recklessly disturb any Schedule 1 bird or their dependent young while nesting.</p>

Species	Legal Status
All bird species	All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: <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.
Invasive species	The Wildlife and Countryside Act 1981 (as amended) contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9 of the Act. In relation to Schedule 9 plants it is an offence to plant or otherwise cause these plant species to grow in the wild.

Species and Habitats of Principal Importance

Planning authorities have a duty under Section 40 of the NERC Act 2006 to have regard to priority species and habitats in exercising their functions including development control and planning. In compliance with Section 41 of the NERC Act, the Secretary of State has published a list of species and habitats considered to be of principal importance for conserving biodiversity in England under the UK Post-2010 Biodiversity Framework. This is known as the list of Habitats and Species of Principal Importance (HPI/SPI). The HPI/SPI list is used to guide planning authorities in implementing their duty under the NERC Act.

National Planning Policy Framework

The National Planning Policy Framework for England was revised in 2019. This document states that plans should ‘promote the conservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity’. It also puts an emphasis on refusing development which would result in the ‘loss or deterioration of irreplaceable habitats (such as ancient woodland)’ unless there are ‘wholly exceptional reasons and a suitable mitigation strategy exists’.

Local Biodiversity Action Plans

The HPI/SPI list included on Section 41 of the NERC Act 2006 is supported by a series of Local Biodiversity Action Plans (LBAPs), usually set up on a local authority local authority administrative boundary basis. Each LBAP identifies those habitats and species considered to be most important in that area (usually referred to as priority habitats and species). Commonly, an LBAP will identify a number of habitats and species for which “action plans” have been prepared.

Appendix 2. Designated Sites Map

