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ENVIRONMENT

Avant Homes (England) Ltd

Calver Lane
Dodworth

Preliminary Ecological Appraisal

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EXECUTIVE SUMMARY

This Preliminary Ecological Appraisal (PEA) has been undertaken on behalf of **Avant Homes** (England Ltd) in respect of the site at Calver Lane, Dodworth.

The habitats on-site were generally considered to be of low ecological value. However, the hedgerows would qualify as priority habitats under the ERC Act 2006. Hedgerows should be retained or replaced where possible.

The NPPF (2019) advises that all development should be seeking biodiversity net gain. As much of the green space on Site should be retained as possible and opportunities for ecological enhancement should be maximised within the final masterplan. This could include bat and bird boxes, the use of native botanical species planting, creation of ecologically valuable habitats and ensuring linkages with surrounding habitats are retained or created. Options will be discussed with the client during the EIA preparation and evidence provided within the EIA to demonstrate net gain.

Three ponds were recorded within 500m of the Site and the habitats present, whilst not optimal, could be used by foraging and commuting great crested newts (GCN) *Triturus cristatus*. Waterbodies within 50m of the Site should be subject to further GCN surveys. GCN presence/absence can be determined by an eDNA survey in the first instance with six rapping visits being required within the recommended survey season (mid-March to mid-June if GCN presence is confirmed).



The habitats offer potential to support foraging and commuting bats and the mature trees offered potentially suitable roosting habitat. Should any mature trees either on-site or within the boundary require works including pruning or felling, or if they are to be subject to impact from lighting, they should be preceded by an aerial inspection by a licensed bat worker to inspect any potential roosting feature with high overhanging eaves and endowings. Should the boundary habitats be affected through either vegetation removal or illumination, activity transects would be required. The surveys would include a walked transect with one visit per month alongside automated surveys with a bat detector for at least two locations per season for five consecutive nights in suitable weather (April to October).

The Site offered foraging and nesting opportunities for birds, although the Site was unlikely to support an important assemblage of birds. Vegetation clearance including ground clearance has the potential to disturb or harm nesting birds and their chicks. As all species receive legal protection during nesting, it is advised to complete any vegetation clearance outside of the breeding birds season of March to August (inclusive). Vegetation clearance outside of this period should still be preceded by a nesting bird check carried out by contractors, as some species can nest all year round. Clearance within this period should be preceded by nesting bird check conducted by an ecologist. Any active nests would need to remain undisturbed until all chicks had fledged.

An Ecological Impact Assessment (EIA) should be produced, which ties together any further survey work carried out and includes a full appraisal of the impacts of the final masterplan.

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1. INTRODUCTION

Instruction

- 1.1 This Preliminary Ecological Appraisal (PEA) has been undertaken on behalf of Avant Homes (England) Ltd in respect of the Site at Calver Lane, Dodworth. It is understood that a residential development is proposed for the Site, prior to which an understanding of potential ecological constraints and requirements for further survey work to accompany a planning application is required.

Site Description

- 1.2 The Site is located off Calver Lane, Dodworth and is centred on grid reference SE3224404387 as shown in **Figure 1.1**.

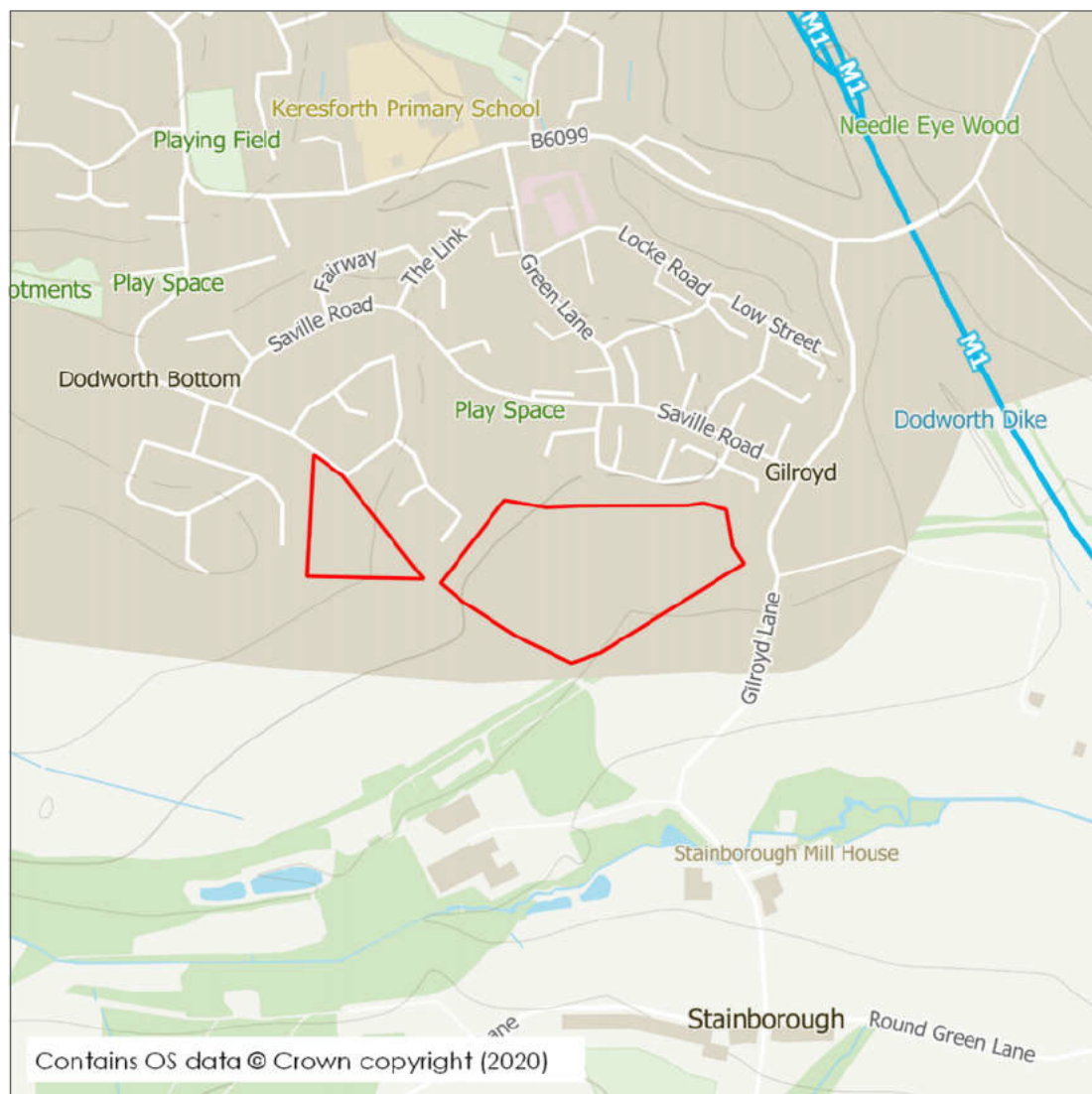


Figure 1.1: Site Location Plan

Objectives

- 1.3 The primary purpose of this appraisal is to provide a baseline of all ecological considerations relating to any future development proposals. This will include the identification of any potential ecological constraints and opportunities.

Scope of Works

- 1.4 The ecological appraisal was informed by a Site survey. The Desk Study information was not available at the time of writing and will be provided as an addendum in due course. The approach to this PEA follows best practice published by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2019) and the British Standards Institution (BSI, 2013). Further details are provided later in this report.

Legislation and Planning Policy

- 1.5 The following legislation relates to species and habitats that could potentially occur in association with the Site:

- The Conservation of Habitats and Species Regulations 2019 (as amended);
- The Wildlife and Countryside Act 1981 (as amended);
- The Countryside and Rights of Way (CROW) Act 2000;
- Natural Environment and Rural Communities (NERC) Act 2006;
- [REDACTED]
- Wild Mammals (Protection) Act 1996; and
- The Hedgerow Regulations 1997.

- 1.6 Further information on the legislation relevant to this Site is provided in **Appendix 1**.

- 1.7 Consideration has also been given in this report to relevant National and Local Planning Policy as summarised below.

- 1.8 The National Planning Policy Framework (NPPF) guides Local Planning Authorities (LPAs) when developing their planning policies and considering planning applications affecting protected habitats, sites and species.

- 1.9 In respect of the natural environment, the NPPF states under Paragraph 170 that:

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

- 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);*
- 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;

- c) Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- 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;*
- 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*
- f) Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."*

1.10 Through the NPPF and Section 40 of the Natural Environment and Rural Communities (NERC) Act, LPAs have a duty to consider habitats and species listed as being of principal importance for nature conservation in England on Section 41 (S41) of the Act when considering a planning application. In addition, the biodiversity duty of local planning authorities also covers species and habitats listed in local biodiversity action plans.

1.11 The Barnsley Local Plan Supplementary Planning Document on Biodiversity and Geodiversity (Adopted May 2019) supplements the following Local Plan Policies:

"Policy BIO1 Biodiversity and Geodiversity

Development will be expected to conserve and enhance the biodiversity and geological features of the borough by:

- Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006 (for list of the species and habitats of principal importance) and in the Barnsley Biodiversity Action Plan.*
- Maximising biodiversity and geodiversity opportunities in and around new developments.*
- Conserving and enhancing the form, local character and distinctiveness of the boroughs natural assets such as the river corridors of the Don, the Dearne and Dove as natural floodplains and important strategic wildlife corridors.*
- Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest.*
- Protecting ancient and veteran trees where identified.*

- Encouraging provision of biodiversity enhancements.

Development which may harm a biodiversity or geological feature or habitat, including ancient woodland and aged or veteran trees found outside ancient woodland, will not be permitted unless effective mitigation and/or compensatory measures can be ensured.

Development which adversely affects a European Site will not be permitted unless there is no alternative option and imperative reasons of overriding public interest (IROPI).

Policy GI1 Green Infrastructure

We will protect, maintain, enhance and create an integrated network of connected and multi-functional Green Infrastructure assets that:

- Provides attractive environments where people want to live, work, learn, play, visit and invest.
- Meets the environmental, social and economic needs of communities across the borough and the wider City Regions.
- Enhances the quality of life for present and future residents and visitors; •Helps to meet the challenge of climate change.
- Enhances biodiversity and landscape character.
- Improves opportunities for recreation and tourism.
- Respects local distinctiveness and historical and cultural.
- Maximises potential economic and social benefits.
- Secures and improves linkages between green and blue spaces.

At a strategic level Barnsley's Green Infrastructure network includes the following corridors....:

- River Dearne Valley Corridor.
- River Dove Valley Corridor.
- River Don Valley Corridor.
- Dearne Valley Green Heart Corridor.
- Historic Landscape Corridor.

The network of Green Infrastructure will be secured by protecting open space, creating new open spaces as part of new development, and by using developer contributions to create and improve Green Infrastructure We have produced a Green Infrastructure Strategy for Barnsley which is informed by the Leeds City Region and South Yorkshire Green Infrastructure Strategies.

Policy GS1 Green Space

We will work with partners to improve existing green space to meet the standards in our Green Space Strategy. Green Spaces are green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks.

Proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:

- An assessment shows that there is too much of that particular type of green space in the area which it serves, and its loss would not affect the existing and potential greenspace needs of the borough; or*
- The proposal is for small scale facilities needed to support or improve the proper function of the green space; or*
- An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.*

In order to improve the quantity, quality and value of green space provision we will require qualifying new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy and in accordance with the requirements of the Infrastructure and Planning Obligations Policy. The Supplementary Planning Document 'Open Space Provision on New Housing Developments' offers guidance to developers on what will be expected in terms of open space provision in order to achieve those standards.

Where there is a requirement to provide new green space an assessment will be carried out to determine the most appropriate provision, taking into account site characteristics and constraints. In cases where it is deemed unsuitable to make provision for open space within or adjacent to a development site, suitable off-site open space facilities may be acceptable either as new facilities or improvements to those existing. Where appropriate new green space should secure access to adjacent areas of countryside."

2. METHODS

Consultation

- 2.1 A 2km data search was requested from the Local Records Centres including details of wildlife designations and historical ecological records. At the time of this report being issued, this information was not available and will be issued as an addendum with any updates to the recommendations included, if applicable.

Extended Phase 1 Habitat Survey

- 2.2 A Site survey was undertaken on 12th March 2021 by Chris Grocock MSc BSc (Hons) GradCIEEM. Chris has extensive experience in survey and site assessment for protected species and is appropriately qualified for the surveys based on the CIEEM competencies for species surveys (CIEEM, 2017).
- 2.3 The visit was completed using Phase 1 habitat survey techniques as defined in the standard methodology (JNCC, 2010). The aim of the visit was to gather sufficient baseline information on the habitats within the Site in order to allow an interpretation of the ecological value of the land.
- 2.4 In addition, the methodology was extended to include a search for incidental evidence of protected/notable fauna and an assessment of the Site's potential to support protected/notable fauna. Specific consideration was given to the following species:
- Birds;
 - Bats;
 - Amphibians, including great crested newts (GCN);
 - Reptiles;
 - [REDACTED]
 - Priority Species, such as hedgehog *Erinaceus europaeus*.
- 2.5 Standard methodologies were used where applicable.
- 2.6 Habitats adjacent to the Site were viewed, where possible, from the Site boundaries in order to assess their potential to support protected species that could be utilising the Site.

Survey Comments

- 2.7 A Preliminary Ecological Appraisal is not usually sufficient for submission with a planning application. The survey methodology highlights habitats and features with potential for protected/notable species but is not designed to provide a comprehensive presence/absence survey. The results of any species-specific surveys recommended as a result of this appraisal should be combined with the results of this appraisal in order to give a full understanding of potential ecological impacts resulting from the development.

- 2.8 The survey was carried out in March which is outside of the main plant growing season. However, a survey at this time of year is sufficient for an experienced surveyor to categorise the habitats and assess the potential for protected species to be present, in line with the aims of the Preliminary Ecological Appraisal.
- 2.9 In line with standard guidance, the results and recommendations within this report are valid for up to two years from the date of survey, assuming there are no significant changes to the survey Site or its immediate surroundings. Updated survey work may be required to support any future planning applications outside of this time period.

3. RESULTS

Desk Study

- 3.1 The desk study information will be provided as an addendum.

Habitats and Botanical Species

- 3.2 The Extended Phase 1 Habitat Survey Results Map is provided in **Appendix 2** with accompanying habitat descriptions below. Relevant photographs are shown in **Appendix 3**. Botanical species nomenclature follows Stace (2019).
- 3.3 The Site comprised two improved grassland fields with a sward height of up to 15cm having previously been utilised for arable farming (unknown crop). Vegetation was dominated by perennial ryegrass *Lolium perenne* with some cock's-foot *Dactylis glomerata*, occasional creeping buttercup *Ranunculus repens* and broadleaved dock *Rumex angustifolium*. A short length of dry ditch was present adjacent to the northern boundary which supported the same species as the grassland as well as rosebay willowherb *Chamerion angustifolium*. Site boundaries largely comprised fences and non-native hedges associated with gardens with some short lengths of dilapidated dry-stone wall. There were two short lengths of hawthorn *Crataegus monogyna* dominated hedgerows up to 2m high and 1m wide. To the immediate south of the Site was a linear band of semi-natural broadleaved woodland associated with public footpaths. Several mature trees were present within the Site boundaries dominated by ash *Fraxinus excelsior* and oak *Quercus* sp. Along the western boundary of the larger field were areas of scattered scrub, primarily comprising bramble *Rubus fruticosus* but also including some ornamental garden escapees. No species listed as Invasive Species on the Wildlife and Countryside Act 1981 (as amended) were recorded.

Protected / Notable Species

Amphibians

- 3.4 No waterbodies were present on-Site at the time of the survey and the habitats were largely unsuitable to support amphibians due to the dominance of relatively short grassland. Areas of scattered scrub and the dry ditch did provide suitable foraging habitat and vegetative shelter and it cannot be ruled out that amphibians could cross the Site.
- 3.5 A search of OS maps and aerial photography revealed three ponds within 500m of the Site, the closest approximately 300m west.



- 3.6



Bats

- 3.7 No man-made structures were present on-Site such as buildings. However, the trees within and adjacent to the Site boundaries contained features such as cracks, lifted bark and rot holes which could support roosting bats.
- 3.8 Whilst the grassland on-Site was unlikely to attract a large abundance of insect prey, the Site boundaries, particularly the woodland to the south, offered opportunities for foraging and commuting bats due to the presence of both linear features and edge habitat currently not affected by artificial lighting. Overall, the Site was considered to provide Moderate potential for foraging and commuting bats (Collins, 2016).

Birds

- 3.9 Only common bird species were recorded on-Site included chaffinch *Fringilla coelebs* and wood pigeon *Columba palumbus*. Whilst the Site offered some opportunities for foraging and breeding birds, an important assemblage was considered unlikely given the habitats present and the size of the Site. Again, the boundary habitats offered the best opportunities including scattered scrub, mature trees and hedgerows.

Reptiles

- 3.10 The habitats on the Site were considered sub-optimal to support reptiles comprising homogenous habitats, well managed and largely lacking in suitable refugia, vegetative cover or undisturbed basking areas. Furthermore, there were no suitable egg laying opportunities such as vegetation piles or compost heaps. Reptiles were considered highly unlikely to be present on-Site and are not considered further within this report.

Other Species

- 3.11 The Site provided opportunities for hedgehogs which may periodically cross the Site.

4. EVALUATION AND RECOMMENDATIONS

Habitats

- 4.1 The habitat on-Site were largely of low ecological value and likely to be common in the wider area. They would not qualify as Priority Habitats under the NERC Act 2006 and did not support any rare or notable botanical species at the time of the survey. No significant impacts envisaged as a result of the loss of the grass and habitats.
- 4.2 The boundary hedgerows were present, comprised of more than 80% native species and as such would qualify as Priority Habitats. They should be retained or replaced within the development footprint where possible.

Species

Amphibians

- 4.3 Whilst the Site offered sub-optimal conditions to support amphibians, it cannot be ruled out that amphibians including the specially protected great crested newt (GCN) could access the Site. Furthermore, construction activities could create suitable refuges such as building material or rubble piles. All ponds within 500m should be subject to GCN survey.
- 4.4 GCN presence /absence can be determined by an eDNA survey. This involves a single daytime visit to each pond to collect water samples which are then analysed in a laboratory to detect the presence of GCN DNA. If the result is negative no further work on that pond is required and this would be sufficient for submission with a planning application. Any ponds which have a positive result will require a full six-visit trapping survey as described below to obtain a population estimate. Collection of eDNA should be conducted mid-April to allow sufficient time to conduct the six-visit trapping survey, if required.
- 4.5 The alternative to the eDNA survey is a standard GCN presence absence survey. Ponds are surveyed on four visits within the recommended survey season (mid March to mid-June) on evenings when the overnight temperature does not drop below 5°C. If GCN are found (either during the first four visits, or a positive result is returned from the eDNA survey) six visits are required in order to provide a better estimate of the population. Half of the survey visits must be carried out between mid-April and mid-May. During each survey, a minimum of three accepted survey methodologies are employed, usually bottle trapping, torching and egg searching.

4.6



4.7 Irrespective of the results of the monitoring survey, it cannot be ruled out that [REDACTED] animals such as hedgehogs, may occasionally use the Site for foraging and commuting. It is therefore recommended that the following precautionary mitigation measures are put in place during the works;

- All excavation should be ramped or have mammal ladders placed in them at the end of the day to ensure any mammals which may fall in can make their escape;
- Any open pipework should be capped in order to prevent mammals from entering and becoming entrapped;
- All machinery and chemicals should be stored safely in a secure compound; and,
- Night works should be avoided where possible and any floodlighting should be angled away from the Site boundaries.

Bats

4.8 Should any mature trees either on-Site or within the boundaries require works, including pruning, felling or increases in lighting, they should be preceded by an aerial inspection by a licenced bat worker to inspect any potential roosting features with high powered torches and endoscopes. If the surveyor can rule out the potential for the tree to support roosting bats, no further work would be required. If the tree is still classed as having potential or a confirmed roost is identified, up to three nocturnal surveys and/or further aerial inspections would be required between May and August with at least one visit occurring in June to cover the main maternity period.

4.9 Boundaries should remain intact, and a dark corridor maintained to facilitate commuting and foraging bats. Should the boundary habitats be affected through either vegetation removal or illumination, activity transects would be required. The Site was assessed as providing moderate suitable foraging and commuting habitat for bats. In line with current industry standards, a site assessed as providing moderate habitat would require one walked transect per month (April to October), with at least one of these comprising a dusk to dawn survey or a dusk transect immediately followed by a dawn transect. Alongside the transect surveys, automated surveys with a bat detector left in two locations per month for five consecutive nights of suitable weather (April to October) should be undertaken.

Birds

- 4.10 In order to prevent disturbance of nesting birds, it is recommended that all clearance of suitable vegetation for nesting birds, including ground clearance, be conducted outside of the nesting bird season (March to August inclusive). These works should be preceded by a nesting bird check conducted by the contractor as some species of bird can nest all year round. Where vegetation removal cannot avoid the nesting bird season, any works to suitable vegetation must be preceded by a nesting bird check conducted by a Suitably Qualified Ecologist (SQE). Where birds are found to be nesting, a stand-off zone will be erected, and all works in this area must cease until the SQE has confirmed all chicks have fledged.

Biodiversity Net Gain

- 4.11 The NPPF (2019) advises that all developments should be seeking Biodiversity Net Gain (BNG) with many Local Planning Authorities including BNG within their planning policies. It is anticipated that a mandatory 10% net gain will soon be required for all proposed developments. As such, it is recommended that proposals for the development take this into account and aim to deliver a minimum 10% net gain for the Site. In order to accurately assess the habitat conditions at the Site, a habitat condition assessment survey should be conducted within the main plant growing season (April to September).

5. CONCLUSIONS

5.1 The findings of this PEA are summarised in **Table 5.1** below.

Table 5.1: Nature Conservation Evaluation

Ecological Receptor	Results & Discussion	Recommendations
General	??	An Ecological Impact Assessment (EclA) should be produced, which ties together any further survey work carried out and includes a full appraisal of the impacts of the final masterplan. Opportunities for ecological enhancement should be sought within the masterplan. This could include the incorporation of bat and bird boxes into the buildings and the use of native botanical species to create a variety of habitat types within the landscape design.
Designated Sites	To be confirmed upon receipt of Desk Study data	
Habitats	The habitats on-Site were generally considered to be of low ecological value. However, the hedgerows would qualify as Priority Habitats under the NERC Act 2006.	Hedgerows should be retained or replaced where possible. The NPPF advises that all development should seek to gain as much of the green space on-Site should be retained as possible and opportunities for ecological enhancement should be maximised within the final masterplan. This could include bat and bird boxes, the use of native botanical species, creation of ecologically valuable habitat and linkage with surrounding habitats. Option will be discussed with the Client during the EclA preparation and evidence provided within the EclA to demonstrate that if no gain is not achievable on-Site, a significant financial contribution is likely to be required to offset the loss of the habitat elsewhere.
Amphibians	Three ponds were recorded within 50m of the Site and the habitat present, whilst no optimal could be used for foraging and commuting great crested newts (GCN <i>Triturus cristatus</i>).	Waterbodies within 50m of the Site should be subjected to further GCN surveys. GCN presence/absence can be determined by an eDNA survey followed by site trapping visits within the recommended survey season (mid-March to mid-June) should presence be confirmed.

Ecological Receptor	Results & Discussion	Recommendations
Bats	The habitats offered potential to support foraging and commuting bats and the mature trees offered potentially suitable roosting features.	Should any mature trees either on-Site or within boundaries require works including pruning, felling or increases in lighting, they should be preceded by an aerial inspection by a licenced bat worker to inspect any potential roosting feature with high powered torches and endoscopes. Should the features be considered suitable, or be a confirmed bat roost, further surveys such as emergence/re-entry surveys would be required. Where a tree is confirmed as a bat roost, a Natural England Protected Species Licence (EPSL) would be required. Should the boundary habitats be affected through either vegetation removal or illumination, activity transects would be required. These surveys would include a walked transect with one visit per month (April to October), at least one of which should comprise a dusk immediately followed by a dawn, alongside automated surveys with a bat detector left in two locations per month for five consecutive nights of suitable weather (April to October).
Birds	The Site offered foraging and nesting opportunities for birds, although the Site was unlikely to support an important assemblage of birds. Vegetation clearance including ground clearance has the potential to disturb or harm nesting birds and their chicks.	As all species receive legal protection during nesting, it is advised to complete any vegetation clearance outside of the breeding bird season of March to August (inclusive). Vegetation clearance outside of this period should still be preceded by a nesting bird check carried out by contractors, as some species can nest all year round. Clearance within this period should be preceded by a nesting bird check conducted by an ecologist. Any active nests would need to remain unaffected until all chicks had fledged.
Other species	Hedgehogs may utilise the Site for foraging and commuting.	General good working practices in relation to mammals should be followed at all times during construction. Habitats and commuting routes for hedgehogs should be incorporated into the final masterplan. If this animal is found during works, it should be moved carefully and by hand to habitats off-site.

6. REFERENCES

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APPENDICES

Appendix 1: Relevant Legislation

The following text provides information on the key legislation, which is applicable to this survey.

The main wildlife legislation relevant in the UK is as follows:

European Legislation

The relevant sections of the EC Directives and international conventions are summarised below:

- EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitat Directive 1992) as amended (92/43/EEC)

The Directive requires Member States to introduce a range of measures including the protection of species listed in the Annexes. The 189 habitats listed in Annex I of the Directive and the 788 species listed in Annex II, are to be protected by means of a network of sites. Once adopted, these are designated by Member States as Special Areas of Conservation (SACs), and along with Special Protection Areas (SPAs) classified under the EC Birds Directive. The Habitats Directive introduces the precautionary principle; that disturbance to the designated sites can only be permitted having ascertained no adverse effect on the integrity of the Site.

- EC Directive on the Conservation of Wild Birds (Birds Directive 1979) as amended (79/409/EEC)

The main provisions of the Directive includes; the maintenance of the favorable conservation status of all wild bird species across their distributional range.

- Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979)

The Convention imposes legal obligations on contracting parties, protecting over 500 wild plant species and more than 1000 wild animal species.

UK Legislation

The sections of UK legislation considered to be of relevance include:

- The Conservation (Natural Habitats, and c.) Regulations (Amendment) (EU Exit) 2019 (as amended)

This transposes the Habitats Directive into national law. The Regulations provide for the designation and protection of 'European sites', and the protection of 'European protected species.

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

This consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive) in Great Britain.

- The Countryside and Rights of Way Act 2000 (CROW)

This act strengthens wildlife enforcement legislation.

- [REDACTED]

- Wild Mammals Protection Act 1996

This act provides protection to all wild species of mammal in the UK and is more related to mammal welfare but is directly applicable during any site clearance or other works to a site which could harm mammals.

- Natural Environment and Rural Communities Act 2006 (NERC Act)

This act formed Natural England which places a duty on all public authorities, including local planning authorities to consider biodiversity. This Act also requires a list of species of habitats composed by the Secretary of State to help provide specific conservation targets. These species are known as Priority Species or Species of Principal Importance (SPI). These habitats are known as Priority habitats or Habitats of Principal Importance (HPI). Both SPI and HPI are listed under Section 41 of this Act. The NPPF also affords protection to these HPI's and SPI's.

- UK Post-2010 Biodiversity Framework

In addition, species and habitats listed on the UK Post-2010 Biodiversity Framework (formally the UK BAP) are also considered. Details on these species and habitats can be found at: <http://jncc.defra.gov.uk/page-5705>.

Species-Specific Legislation

Species specific legislation is provided in the Table below:

Species-Specific Wildlife Legislation

Plants	Sch. 8 Wildlife and Countryside Act 1981 (as amended) Some species are SPI - Section 41 NERC Act.	• Pick; • Uproot; • Trade; • Possess (for trade) any wild plant listed.
Breeding birds	Wildlife and Countryside Act 1981 (as amended).	• Kill; • Injure; • Take; any wild bird, their eggs or nest (with the exception of those on Sch. 2).
Specially protected birds	Sch. 1 Wildlife and Countryside Act 1981 (as amended).	As above but includes: • Disturbing birds at their nest, or their dependent young.

		•
Bats	Sch. 5 Wildlife and Countryside Act 1981 (as amended). Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019 (as amended).	• Intentionally or deliberately kill, injure or capture (or take) bats; • Deliberately disturb bats (whether in a roost or not); • Recklessly disturb roosting bats or obstruct access to their roosts; • Damage or destroy bat roosts.
Common reptiles	Sch. 5 Wildlife and Countryside Act 1981 (as amended). Countryside and Rights of Way Act 2000.	Deliberate or reckless: • Killing; • Injuring • Sale.
Common amphibians	Sch. 5 and Sch. 9 Wildlife and Countryside Act 1981 (as amended). Countryside and Rights of Way Act 2000.	• Sell; • Transport; and • Advertise for sale.
Great crested newt	Sch. 5 Wildlife and Countryside Act 1981 (as amended). Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019 (as amended).	• Kill; • Injure; • Disturb • Destroy or obstruct access to any place used for rest or shelter.
Hedgehogs	SPI – Section 41 NERC Act Wild Mammals Protection Act 1996.	Protection from harm, injury Intent to harm.
Other mammals	Wild Mammals Protection Act 1996.	Protection from harm, injury Intent to harm.
Invasive species (animal and plant)	Sch. 9 Wildlife and Countryside Act 1981 (as amended).	Release of any animal, plant or microorganism not native to the UK. Sale. Cause or allow to spread.

Protected Sites

A network of protected sites, at varying levels, have been put in place across the UK. Further details are provided below;

International Importance

- Natura 2000

Natura 2000 is the name of the European Union-wide network of nature conservation-sites established under the EC Habitats and Birds Directives. This network will comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

- Special Areas of Conservation (SAC)

SACs are designated under the EC Habitats Directive. The Directive applies to the UK and the overseas territory of Gibraltar. SACs are areas which have been identified as best representing the range and variety within the European Union of habitats and (non-bird) species listed on Annexes I and II to the Directive. SACs in terrestrial areas and territorial marine waters out to 12 nautical miles are designated under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). New and/or amended Habitats Regulations are shortly to be introduced to provide a mechanism for the designation of SACs and SPAs in UK offshore waters (from 12-200 nm).

National Importance

- Sites of Special Scientific Interest (SSSI)

The SSSI series has developed since 1949 as the national suite of sites providing statutory protection for the best examples of the UK's flora, fauna, or geological or physiographical features. Most SSSIs are privately-owned or managed; others are owned or managed by public bodies or non-government organisations. The SSSIs designation may extend into intertidal areas out to the jurisdictional limit of local authorities, generally Mean Low Water in England and Northern Ireland; Mean Low Water of Spring tides in Scotland. In Wales, the limit is Mean Low Water for SSSIs notified before 2002, and, for more recent notifications, the limit of Lowest Astronomical Tides, where the features of interest extend down to LAT. There is no provision for marine SSSIs beyond low water mark. Originally notified under the National Parks and Access to the Countryside Act 1949, SSSIs have been renotified under the Wildlife and Countryside Act 1981. Improved provisions for the protection and management of SSSIs were introduced by the Countryside and Rights of Way Act 2000 (in England and Wales) and the Nature Conservation (Scotland) Act 2004.

Regional/Local Importance

- Wildlife Sites

Local authorities for any given area may designate certain areas as being of local conservation interest. The criteria for inclusion, and the level of protection provided, if any, may vary between areas. Most individual counties have a similar scheme, although they do vary.

These sites, which may be given various titles such as 'Listed Wildlife Sites' (LWS), 'County Wildlife Sites' (CWS), 'Local Nature Conservation-sites' (LNCS), 'Sites of Importance for Nature Conservation' (SINCs), or 'Sites of Nature Conservation Importance' (SNCIs), together with statutory designations, are defined in local and structure plans under the Town and Country Planning system and are a material consideration when planning applications are being determined.

Appendix 2: Extended Phase 1 Habitat Plan



Notes

1. Do not scale this drawing. All dimensions must be checked/ verified on site. If in doubt ask.

2. This drawing is to be read in conjunction with all relevant architects, engineers and specialists drawings and specifications.

3. All dimensions in millimetres unless noted otherwise. All levels in metres unless noted otherwise.

4. Any discrepancies noted on site are to be reported to the engineer immediately.

Key

- Mature Tree
- Badger Sett
- Dry Ditch
- Improved Grassland
- Hedgerow

Issues & Revisions

Birmingham

0121 233 3322

Leeds

0113 233 8000

London

0207 407 2879

Manchester

0161 233 4260

Nottingham

0115 924 1100

www.bwbconsulting.com

Client

Avant Homes Ltd

Project Title

Calver Lane

Drawing Title

Phase 1 Habitat Survey

Drawn:	CG	Reviewed:	CG
	Date:	March	Scale@A3 1:5000

Drawing Status

Final

Project - Originator - Zone - Level - Type - Role - Number	Status	Rev
CLD-BWB-ZZ-XX-DR-YE-0001	S2	P01

Appendix 3: Site Photographs

**Improved grassland
looking towards boundary
woodland**



Boundary hedgerow





BETTER SOLUTIONS, INTELLIGENTLY ENGINEERED