

Woodstock Road, Barnsley
Preliminary Ecological Appraisal
20th May 2020



Prepared by:

Middleton Bell Ecology, 33 Wilthorpe Road, Barnsley S75 1JA

Document ref: MBE/ECO/2020/14/1				
Purpose and Description	Originated	Checked	Reviewed	Date
For Planning	P Middleton MCIEEM <i>P Middleton</i>	R Bell MCIEEM <i>R Bell</i>	P Middleton MCIEEM <i>P Middleton</i>	20.05.20

Disclaimer

This report is issued to the client for the sole use and for the intended purpose as stated in the agreement between the client and Middleton Bell Ecology (MBE) under which this work was completed, or else as set out within the report. This report may not be relied upon by any other party without the express written agreement of MBE. The use of this report by unauthorised third parties is at their own risk and MBE accepts no duty of care to any such party.

MBE has exercised due care in preparing this report, it has not, unless specifically stated, independently verified information provided by others. No other warranty, express or implied, is made in relation to the content of this report and MBE assumes no liability for any loss resulting from errors, omissions or misrepresentation made by others.

Any recommendations, opinion or finding stated in this report is based on circumstances and facts as they existed at the time that MBE performed the work. Nothing in this report constitutes legal opinion. If legal opinion is required, the advice of a legal professional should be secured.

Site Name Land behind 49 to 55 Woodstock Road	Site Address Woodstock Road, Barnsley, South Yorkshire S75 1DQ
Local Authority Barnsley Metropolitan Borough Council	Grid Reference SE 33794 07837
Surveyor Peter Middleton MCIEEM	Date of Survey 04/05/2020
National Character Area (NCA) The Nottinghamshire, Derbyshire and Yorkshire Coalfield (NCA 38)	Designation of Site None
Phase 1 Habitat Types on Site A2.1 Dense scrub, A2.2 Scattered scrub, A3.1 Scattered trees, B6 Poor semi improved grassland, C3.1 Tall ruderal, J1.2 Amenity grass, J1.3 Ephemeral, J1.4 Introduced shrub, J3.6 Buildings.	
NVC Communities on Site Affinity with MG1, W24.	
Protected/Notable Species, Constraints on Site Nesting birds	
HPIs and SPIs under NERC Act 2006 House sparrow	
Barnsley BAP None	

Contents

1. Summary	3
2. Introduction	4
3. Site Description.....	4
4. Methodology	5
5. Ecological Baseline.....	6
6. Assessment	13
7. References	15
Appendix 1. Phase 1 Plan	16
Appendix 2. Plant Species Recorded on Site	17
Appendix 3. Relevant Legislation and Policy.....	19
Appendix 4. Designated Sites Map	22

1. Summary

- 1.1.1 The Preliminary Ecological Appraisal of land behind 49 to 55 Woodstock Road, Barnsley was commissioned by planning consultant James Roberts on behalf of the client Scott Clayburn on 28th April 2020.
- 1.1.2 The survey was commissioned to inform a planning application for a residential development comprised three dwellings. The proposed development will require the demolition of a single dwelling (No 49) to facilitate access to the proposed new dwellings.
- 1.1.3 No impacts upon designated sites are anticipated because of the nature of the development and because the site is surrounded on all sides by residential properties.
- 1.1.4 Site habitats are considered to be of importance to nature conservation at the site level. The site's is not considered to be of importance greater than the site level to any faunal species group.
- 1.1.5 The following ecological constraints and associated recommendations to avoid/mitigate/compensate for potential impacts have been identified.
 - Potential damage to retained trees – Measures detailed in British Standard 5837 (2012): Trees in relation to design, demolition, and construction, should be followed.
 - Nesting birds - Vegetation clearance should take place at a time when it will not affect nesting birds (outside March to August). If works are to be undertaken during this time, then they should be preceded by a nesting bird check to be undertaken by an ecologist.
 - Soft landscaping scheme – Making use of native species of trees and shrubs together with selective thinning of scrub trees on eastern boundary.
- 1.1.6 In addition to mitigation recommendations outlined above, enhancement recommendations include:
 - In-situ bat boxes and house sparrow boxes integral to the fabric of the buildings
 - Boundaries and fences that will not impede the free movement of hedgehogs throughout the site.
- 1.1.7 In order to further reduce scheme impacts and to ensure the scheme maximises potential benefits to nature conservation, it is recommended that mitigation and enhancement measures detailed in Sections 6.3 and 6.4 are adopted.

2. Introduction

- 2.1.1 The Preliminary Ecological Appraisal of land behind 49 to 55 Woodstock Road, Barnsley was commissioned by planning consultant James Roberts on behalf of the client Scott Clayburn on 28th April 2020.
- 2.1.2 The survey was commissioned to inform a planning application for a residential development comprised three dwellings. The proposed development will require the demolition of a single dwelling (No 49) to facilitate access to the proposed new dwellings.
- 2.1.3 The purpose of this report is to present the results of an extended Phase 1 habitat survey which includes determining the potential for, or presence of, protected and notable species, plus an appended map of the site showing the Phase 1 habitats present.
- 2.1.4 Ecological impacts associated with the scheme have been assessed with the focus on identifying significant impacts. Mitigation, compensation, and enhancement measures are detailed.
- 2.1.5 Key legislation relating to designated sites and protected species and habitats is presented in Appendix 3. The implications of legislation are detailed in the body of the report where necessary.

3. Site Description

- 3.1.1 The application site is located in a suburban location on Woodstock Road, which is 6km south of the Barnsley town centre. The site consists of approximately 0.33ha of land within the confines of three dwellings and their associated gardens. Semi-natural habitats present on site comprise poor semi improved grassland, dense and scattered scrub, scattered trees, tall ruderal vegetation, amenity grass (outgrown lawns) and ephemeral/short perennial (see Appendix 1, Figure 1 and Plates 1 to 4).
- 3.1.2 The site is surrounded on all sides by either residential dwellings or their. Beyond Woodstock Road to the west is Wilthorpe Park and 100m north is the Barnsley to Wakefield Railway Line.
- 3.1.3 The site falls within National Character Area 38: The Nottinghamshire, Derbyshire and Yorkshire Coalfield. This National Character Area (NCA) comprises a generally low-lying area, with hills and escarpments above wide valleys, the landscape embraces major industrial towns and cities as well as villages and countryside. Over half of the NCA is currently designated as greenbelt land; this maintains some distinction between settlements and represents areas that are often under pressure for development and changes in land use. Very little of the NCA is designated for geology or nature conservation, but instead the landscape is dotted with many pockets and patches of habitat where species find refuge. This is often on land that was once worked for minerals or occupied by major industry.
- 3.1.4 The soils in the area comprise slowly permeable seasonally wet acid loamy and clayey soils.

Figure 1. The site location, as indicated by red line boundary



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
- The locations of historic European Protected Species (EPS) licences granted by Natural England

4.2 Field Survey

4.2.1 The site was surveyed on 4th May 2020 using extended Phase 1 habitat survey methodology (JNCC, 2010) by the following personnel:

- Peter Middleton (MCIEEM)

4.2.2 Notable, rare, or scarce plant species were highlighted if present. Evidence of protected species or species of nature conservation importance was recorded where present at the time of survey. Species recorded are included within the report as appropriate. Information is presented on the Phase 1 plan, using Target Notes (TN) to

identify particular features of interest, where appropriate. Additionally, and where possible, habitats were classified using the National Vegetation Classification (NVC), as described in the JNCC National Vegetation Classification – Users Handbook (Rodwell, 2006).

- 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. This is particularly useful for identifying wildlife corridors and ponds but because the latter are often not apparent on aerial photographs, OS 1:25 000 scale maps are also used.
- 4.2.4 Habitats of Principal Importance (HPIs) and Species of Principal Importance (SPIs) are included on Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 were noted together with priority species and habitats as included on the Local Biodiversity Action Plan (LBAP).

Methods of assessment

- 4.2.5 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 No limitations to an affective preliminary ecological appraisal were encountered.

5. Ecological Baseline

5.1 Data Consultation

- 5.1.1 Designated sites present 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)	Barnsley Canal at Wilthorpe	Open water, grassland and scrub	240m northwest
	Old Mill Lane	Open water, river, woodland and swamp	990m east

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

5.2 Field Survey

- 5.2.1 The arrangement of site habitats is shown on the Phase 1 plan in Appendix 1, whilst a field survey botanical species list is provided in Appendix 2.
- 5.2.2 Site habitats currently appear to be of 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.
- 5.2.3 A detailed description of the site habitats and the site's potential to support protected and notable species is provided below.

Habitats

A2.1 and A2.2 Dense and scattered scrub

- 5.2.4 Dense and scattered scrub in the form of locally dominant bramble *Rubus fruticosus* agg. is present throughout the eastern end of the site together with occasional ash *Fraxinus excelsior* and a small hazel *Corylus avellana*, in the western section of the site was also noted (Plates 1 & 2, TN 2 to 6).

Plate 1. Scrub and scattered trees looking west towards 53 & 55



A3.1 Scattered trees

- 5.2.5 Scattered trees comprising frequent large hawthorn *Crataegus monogyna* on the boundaries, together with immature ash present mainly in the eastern half of the site. Silver birch *Betula pendula*, grey willow *Salix cinerea* and ornamental cherry are occasionally present together with rarely occurring sycamore *Acer pseudoplatanus* and holly *Ilex aquifolium*. There are also two small apple *Malus* spp. trees in the eastern section of the site associated with no 51 (see TN 7, Appendix 1).

B6 Poor semi improved grassland

- 5.2.6 This grassland which is in the eastern section of the red line boundary has established on nutrient enriched soil and comprises abundant cocksfoot *Dactylis glomerata* and false oat-grass *Arrhenatherum elatius* together with frequent dandelion *Taraxicum*

officinale agg., creeping thistle *Cirsium arvense*, field horsetail *Equisetum arvense*, nettle *Urtica dioica* and broad leaved dock *Rumex obtusifolius*. Occasional species include hogweed *Heracleum sphondylium*, field forget-me-not *Myosotis arvensis*, cleavers *Gallium aparine* and tufted vetch *Vicia cracca*. Locally dominant ground elder *Aegopodium podagraria* is present in an outgrown area of garden nearer to the dwellings and cuckooflower *Cardamine pratense* is present only rarely.

Plate 2. View towards eastern boundary with large hawthorn, dense bramble scrub and poor semi improved grass in foreground



C3.1 Tall ruderal

- 5.2.7 Beneath two fruit trees is an area of tall ruderal vegetation comprising dominant rosebay *Chamerion angustifolium*.

J1.2 Amenity grass

- 5.2.8 There are several areas of lawn or outgrown lawn, associated with the four dwellings and all lawns are dominated by perennial ryegrass *Lolium perenne*. The most ecologically interesting section is an uncut area close the entrance to number 49, which supports frequent cuckooflower, dandelion and fescue *Festuca* spp. Species present in smaller quantities include tufted vetch, bulbous buttercup *Ranunculus bulbosus*, creeping buttercup *Ranunculus repens*, white clover *Trifolium repens*, cocksfoot, autumn hawkbit *Leontodon autumnalis* and oxeye daisy *Leucanthemum vulgare* (TN8, Appendix 1). There is also a small area dominated by wild strawberry *Fragaria vesca*.

J1.3 Ephemeral/short perennial

- 5.2.9 For want of a better classification, an area of limestone aggregate on the western side of no 49 now supports pioneer vegetation including Locally abundant white clover and red valerian *Centranthus ruber* together with occasional or rarely occurring dandelion, catsear *Hypochaeris radicata*, lesser trefoil *Trifolium dubium*, autumn hawkbit and common mousear *Cerastium fontanum* (Plate 4).

J1.4 Introduced shrub

- 5.2.10 Introduced shrub, including a small section of laurel *Prunus laurocerasus* together with

rarely occurring Japanese rose *Rosa regusa*, lilac *Syringa vulgaris* and fuchsia *Fuchsia magellanica* are present within the garden section of building no 51. Garden privet *Ligustrum ovalifolium* hedges are present on the boundaries of 51 to 55 Woodstock Road.

Plate 3. Rear garden area of no 51



J3.6 Building

- 5.2.11 There are three buildings (4 dwellings) on site. One of which is proposed for demolition (see Plate 4), its potential to accommodate roosting bats is discussed in the species section of the report.

Plate 4. West elevation of no 49 Woodstock Road, ephemeral habitat in foreground



Species and species groups

Amphibians

- 5.2.12 Eleven Great Crested Newt (GCN) *Triturus cristatus* records were provided by BBRC for locations within a 1.5km radius of the site. The nearest record to site (egg only) was collected in 2012 from Barnsley Canal, 500m north of the application site. No historic GCN EPS mitigation licences have been issued for locations within 2km of the site.
- 5.2.13 Eleven ponds including the old oxbow of the River Dearne and the Barnsley Canal were recorded within 1km of the site during the pond search, all are to the north of the site and the railway line. Three of the ponds are within 500m of the site with the nearest (Tinkers Pond) located 130m north. However, given that the three nearby ponds are stocked with fish and there is a barrier to movement (several rows of housing and a minor road), GCN are not considered to be a receptor to the proposed scheme.
- 5.2.14 Other amphibian records provided by BBRC for locations within 1.5km of the site include nine common toad *Bufo bufo* records, six common frog *Rana temporaria* records and 11 smooth newt *Lissotriton vulgaris* records, the nearest of which is a common frog record collected in 2012 from a location 380m from the site centroid.

Badger

- 5.2.15 No badger *Meles meles* records were provided by BBRC for locations within a 1.5km radius of the site centroid. The site does not therefore fall within an area of increased probability of badger activity.
- 5.2.16 No badger setts or other evidence of usage were found, and the site is unlikely to be used as part of a wider foraging habitat by this species.

Bats

- 5.2.17 One hundred and eleven bat records of at least five species were provided by BBRC. Positively identified species in the records comprised common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, noctule *Nyctalus noctula*, Leisler's bat *Nyctalus leisleri* and Daubenton's bat *Myotis daubentonii*. No records were received for the site itself with the nearest record to site (common pipistrelle) collected in 1999 from a location only 40m south of the site centroid.
- 5.2.18 One historic EPS mitigation licences has been obtained for a location within 2km of the application site. The licence was issued in 2013 to permit the destruction of a common pipistrelle resting place in a location 820m southeast of the application site.
- 5.2.19 There is a detached dwelling proposed for demolition on site. No signs of bat presence were recorded from the building. The building and its potential to accommodate bats is detailed below.

Description of building

5.2.20 Number 49 Woodstock Road is a brick-built bungalow with a pitched and hipped Welsh slate roof with flat bitumen felt covered extensions at the rear. There are double glazed hardwood bay-windows at the front of the dwelling and soft-wood double glazed windows on all other elevations, with the exception of a porch at the rear which has single glazed windows. Adjacent to the dwelling is a single storey timber detached garage with a pitched Welsh slate roof (see Plates 5 & 6).

Plate 5. Rear of building and garage



Plate 6. Front of building



Plate 7. Fascia does not offer roost potential



(No gaps behind fascia)

Inspection of building (no 49) and garage.

- 5.2.21 Externally, both buildings lack features with potential to accommodate roosting bats, the walls are devoid of features and the fascia board on the dwelling is tight against the wall. Additionally, there is no defective mortar beneath ridge tiles. Internally, the roof-space of the dwelling has a height to the ridge of approximately 2m, there is 200mm of glass fibre insulation at ceiling height and there is no roofing membrane beneath the tiles, the space was found to be very 'cobwebby' and no signs of bats were found. The garage is single skin and it lacks features with potential to accommodate bats and no signs of bats were found.
- 5.2.22 There are no trees on site that display features with potential to accommodate roosting bats and the site provides sub-optimal habitat for foraging bats. The site is unlikely to be of more than site level importance to foraging and commuting bats.

Assessment of findings

- 5.2.23 There were no visible signs of bat presence on either the inside or outside of the surveyed buildings. Both the dwelling and garage lack features with potential to accommodate bats and are considered to offer negligible bat roost potential.

Birds

- 5.2.24 Dunnock *Prunella modularis*, goldfinch *Carduelis carduelis* and house sparrow *Passer domesticus* were recorded on site. The latter is a red listed species within the Birds of Conservation Concern list (Eaton *et al.*, 2015) and was found in abundance on site. The list is not exhaustive, and the site has the potential to support a greater assemblage of common garden birds. Trees and shrubs on site will be use by common birds for nesting.

Invasive species

- 5.2.25 Japanese rose *Rosa regusa* was recorded in a garden on site (See TN 1 in Appendix 1). This species is invasive and listed on Schedule 9 of the Wildlife & Countryside Act 1981 (as amended). Given that this area will remain undisturbed, eradication in this case is not considered important.

Hedgehog

- 5.2.26 Six hedgehog *Erinaceus europaeus* records were provided by BBRC for locations within a 2km radius of the site. The nearest record to site was collected in 1988 from a location 790m from the site centroid. The site is likely to be used as part of a wider foraging habitat for this species.

Invertebrates

- 5.2.27 Given the ubiquitous habitats on site, rarely occurring and/or notable species of invertebrates are not likely to be present.

Plants

- 5.2.28 Given the habitats on site and the soils somewhat nutrient enrichment, it is unlikely to support rare or notable species of flowering plants.

Reptiles

- 5.2.29 No reptile records were provided by WYE for locations within 2km of the site. Given the lack of records, unfavourable habitat on site and lack of connectivity with suitable habitats elsewhere, reptiles are not considered a receptor to the proposed scheme.

6. Assessment

6.1 Proposals

- 6.1.1 The proposed development will largely be located within an area of unmanaged former garden. The hawthorn trees along the western boundary will be retained and trimmed.
- 6.1.2 The assessment of scheme impacts is based upon the layout entitled 'Proposed layout, 49,51,53 & 55 Woodstock Road. Drawing No 19-5137-03A, JRP'.

6.2 Assessment of Impacts

- 6.2.1 No impacts upon designated sites are anticipated because of the nature of the development, distance from designated sites and because the site is surrounded on all sides by residential properties.
- 6.2.2 Site habitats are considered to be of importance to nature conservation at the site level only. The site is not considered to be of importance greater than the site level to any faunal species group.
- 6.2.3 Potential impacts of the development are considered to comprise:
- Long-term loss of semi-natural habitats present within the interior of the site.
 - Potential to damage or destroy active bird nests. Bird nests are subject to strong legal protections as detailed in Appendix 3.
 - Damage to the root systems or stems of retained trees as a result of construction works.
 - Temporary increase in vehicle movements onto and out of the site during the period of construction.
 - Temporary increase in noise, dust and vibration caused by construction work.
 - Long term increase in human presence on site following the construction of new dwellings.
 - Increase in domestic pets which potentially negatively impact wild birds and mammals.
- 6.2.4 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:
- Trees to be retained should be protected. Taking a best practice approach to nature conservation issues, British Standard 5837 (2012): Trees in relation to design, demolition, and construction, should be followed. Root Protection

Zones (RPZ's) should be calculated and implemented to prevent harm to trees. This should also apply to any trees outwith the site, up to 5 m from the boundary.

- Vegetation clearance should take place at a time when it will not affect nesting birds (outside March to August). If works are to be undertaken during this time, then they should be preceded by a nesting bird check to be undertaken by an ecologist.
- New tree and shrub plantings should be an integral component of the soft landscaping proposals for the site. Plantings within the site should be generous and include locally native species of trees and shrubs.

6.4 Enhancements

6.4.1 In accordance with the aims of planning policy NPPF: 15, it is suggested that the developer 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.

- One of the proposed new dwellings should have a cavity bat box integral to the fabric of the building. This box should be fitted as high as possible on the south or west elevations but not over windows or doors.
- Two of the proposed dwellings should have sparrow terraces integral to the fabric of the buildings under eaves.
- Dwelling boundaries and fences should not impede the free movement of hedgehogs *Erinaceus europaeus* throughout the site.

6.5 Conclusion and Residual Effects

6.5.1 The site is not considered to be of greater than site level importance to any habitat or species group.

6.5.2 In order to further reduce scheme impacts and to ensure the scheme maximises potential benefits to nature conservation, it is recommended that mitigation and enhancement measures detailed in Sections 6.3 and 6.4 are adopted.

7. References

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

CIEEM (2016) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2017) Guidelines for Preliminary Ecological Appraisal, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.

Connolly, S and Charles, P. (2005) Environmental Good Practice Pocket Book. CIRIA, London.

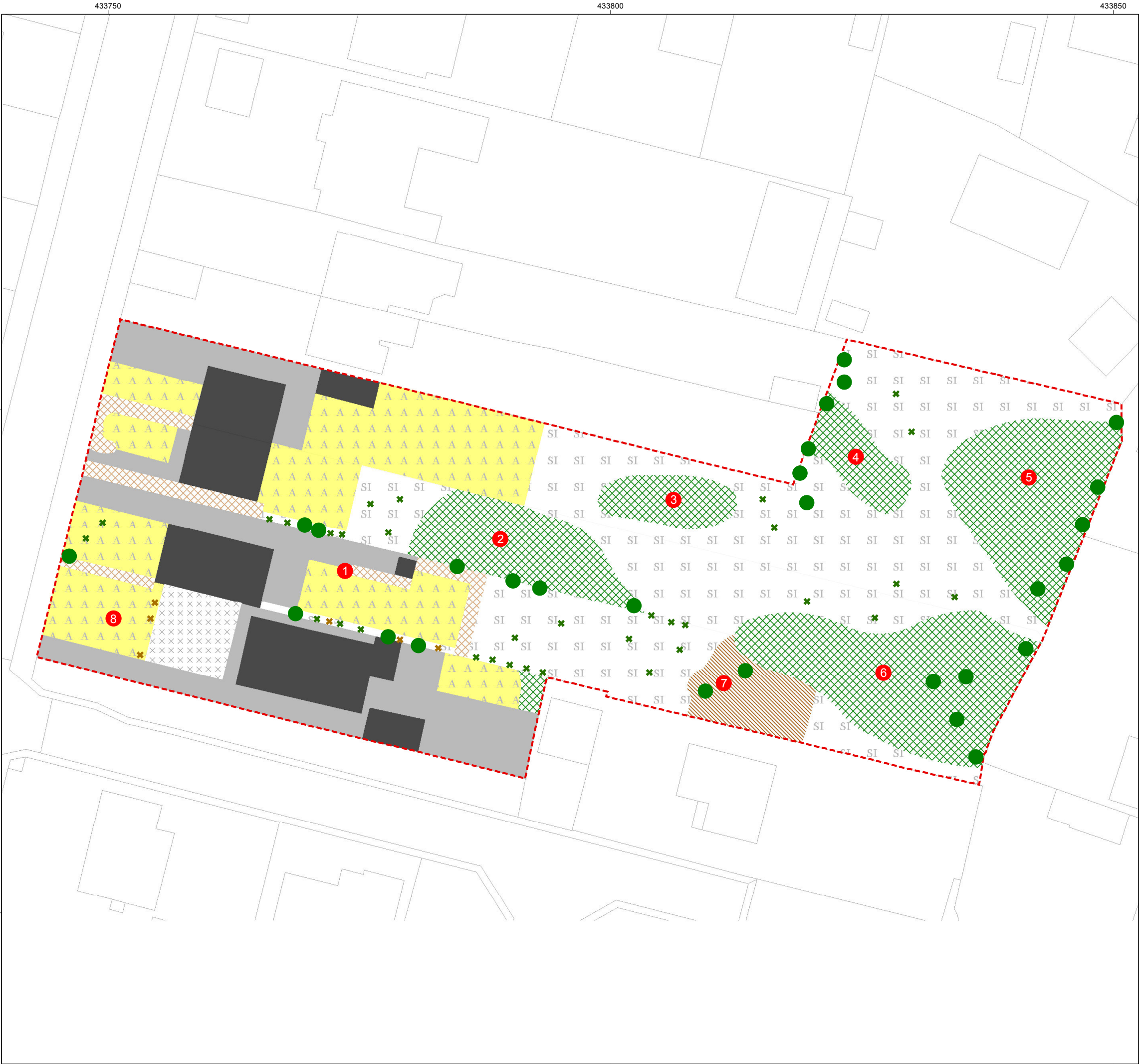
Eaton MA, Aebischer NJ, Brown AF, Hearn RD, Lock L, Musgrove AJ, Noble DG, Stroud DA and Gregory RD (2015) Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and Isle of Man. British Birds 108, 708–746.

Harris S, Cresswell P and Jefferies D (1989). Surveying Badgers. Mammal Society.

Joint Nature Conservation Committee (2010). Handbook for Phase 1 Habitat Survey - a Technique for Environmental Audit. Reprinted by JNCC, Peterborough.

Rodwell, J.S, (2006), NVC Users' Handbook. JNCC

Appendix 1. Phase 1 Plan



Survey Information	
	Site boundary (3,316m ²)
Phase 1 Habitat Survey	
	Dense scrub (772m ²)
	Tall ruderal (80m ²)
SI	Poor semi-improved grassland (1,062m ²)
	Amenity grassland (542m ²)
	Introduced shrub (85m ²)
	Ephemeral / short pernnial (62m ²)
	Building (298m ²)
	Hardstanding (415m ²)
	Scattered tree
	Scattered scrub
	Scattered tall ruderal
	Target note

Target Notes:

[1] Japanese rose
[2] Bramble scrub
[3] Bramble scrub
[4] Bramble scrub
[5] Bramble scrub
[6] Bramble scrub
[7] Fruit trees
[8] Amenity grassland (outgrown) with Cuckoo flower

Source:
Ordnance Survey © Crown copyright 2020, All rights reserved. License Number 100049837.

0 2.5 5 10
Metres

PROJECT TITLE

WOODSTOCK ROAD, WILTHORPE, BARNSELY

DRAWING TITLE

Figure 1. Phase 1 Habitat Plan

VER	DATE	REMARKS	Drawn	Checked
1.2	20/05/20	Phase 1	MP	PM

DRAWING NUMBER:

MIDDLETONBELLECOLOGY/WoodstockRd/Phase 1

SCALE	1:375	PLOT SIZE	A3	DATUM	OSGB	PROJECTION	BNG
-------	-------	-----------	----	-------	------	------------	-----

Appendix 2. Plant Species Recorded on Site

Full Species List		
English Name	Scientific Name	DAFOR Rating
A2.1 & A2.2 Dense and Scattered scrub		
Bramble	<i>Rubus fruticosus</i> agg.	Loc D
Hazel	<i>Corylus avellana</i>	R
Ash	<i>Fraxinus excelsior</i>	O
A3.1 Scattered trees		
Hawthorn	<i>Crataegus monogyna</i>	F
Ash	<i>Fraxinus excelsior</i>	F
Silver birch	<i>Betula pendula</i>	O
Grey willow	<i>Salix cinerea</i>	O
Sycamore	<i>Acer psuedoplatanus</i>	R
Holly	<i>Ilex aquifolium</i>	R
Cherry	<i>Prunus</i> spp.	R
Domestic apple	<i>Malus domestica</i>	R
B6 Poor semi improved grassland		
False oat-grass	<i>Arrhenatherum elatius</i>	A
Cocksfoot	<i>Dactylis glomerata</i>	A
Dandelion	<i>Taraxacum officinale</i> agg.	O
Broad leaved dock	<i>Rumex obtusifolius</i>	F
Nettle	<i>Urtica dioica</i>	F
Creeping thistle	<i>Cirsium arvense</i>	F
Garden daffodil	<i>Narcissus</i> spp.	R
Spanish bluebell	<i>Hyacinthoides hispanica</i>	R
Rosebay	<i>Chamerion angustifolium</i>	O
Field horsetail	<i>Equisetum arvense</i>	F
Forget-me-not (field)	<i>Myosotis arvensis</i>	R
Hogweed	<i>Heracleum sphondylium</i>	O
Cleavers	<i>Gallium aparine</i>	O
Cuckooflower	<i>Cardamine pratense</i>	R
Tufted vetch	<i>Vicia cracca</i>	O
Ground elder	<i>Aegopodium podagraria</i>	Loc A
C3.1 Tall ruderal		
Rosebay	<i>Chamerion angustifolium</i>	D
J2 Amenity grass (outgrown lawn)		
Perennial ryegrass	<i>Lolium perenne</i>	A
Daisy	<i>Bellis perennis</i>	R
Bulbous buttercup	<i>Ranunculus bulbosus</i>	R
Cuckooflower	<i>Cardamine pratense</i>	F
Dandelion	<i>Taraxacum officinale</i> agg.	F
Wild strawberry	<i>Fragaria vesca</i>	Loc A
Tufted vetch	<i>Vicia cracca</i>	Loc A
White clover	<i>Trifolium repens</i>	O
Red fescue	<i>Festuca rubra</i>	F
Autumn hawkbit	<i>Leontodon autumnalis</i>	O
Creeping buttercup	<i>Ranunculus repens</i>	O
Cocksfoot	<i>Dactylis glomerata</i>	R
Oxeye daisy	<i>Leucanthemum vulgare</i>	R
J1.3 Ephemeral/short perennial		

Dandelion	<i>Taraxacum officinale</i> agg.	O
Common mouseear	<i>Cerastium fontanum</i>	R
White clover	<i>Trifolium repens</i>	Loc A
Autumn hawkbit	<i>Leontodon autumnalis</i>	O
Red valerian	<i>Centranthus ruber</i>	Loc A
Catsear	<i>Hypochaeris radicata</i>	O
Lesser trefoil	<i>Trifolium dubium</i>	O
J1.4 Introduced shrub		
Garden privet	<i>Ligustrum ovalifolium</i>	Loc D
Lilac	<i>Syringa vulgaris</i>	R
Laurel	<i>Aucuba japonica</i>	Loc A
Fuchsia	<i>Fuchsia megellanica</i>	R
Japanese rose	<i>Rosa rugosa</i>	R

Appendix 3. 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
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.

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)	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: • 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. 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: • 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. 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. 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.

Species	Legal Status
National protection	
European Protected Species and other species including water vole and white clawed crayfish	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: • 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	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.
Badger	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.
Schedule 1 birds	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 above relating to all wild birds, it is illegal to intentionally or recklessly disturb any Schedule 1 bird or their dependent young while nesting.
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: • 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 2018. 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 4. Designated Sites Map

