

ENVIRONMENT

Align Property Services
Sacred Heart Catholic Primary School
Goldthorpe
Preliminary Ecological Appraisal

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EXECUTIVE SUMMARY

This Preliminary Ecological Appraisal (PEA) has been undertaken on behalf of Align Property Services (the Client) in respect of the Site at Sacred Heart Catholic Primary School, Goldthorpe. It has been produced to inform the Client of potential ecological constraints in relation to a future planning application for the Site.

The Site is located at Sacred Heart Catholic Primary School, Goldthorpe. The Site is approximately 1.17 hectares (ha) in extent, consisting of the school complex, modified grassland and boundary woodland, and is centred on grid reference SE 46253 04660.

No international statutory designated sites were identified within 6km of the Site boundary, and only a single national statutory designated site was identified, in addition to one non-statutory site within 2km of the Site. However, all are at a suitable distance from the Site such that no impacts are anticipated.

The habitats on-Site are common and widespread in the local area, and generally of low quality, however, the woodland offers good value habitat in the wider area. The woodland should be retained and enhanced where possible, and any new landscaping should complement the retained on-Site and off-Site habitats and utilise native species where possible.

The Site was found to be suitable for badgers, bats and terrestrial mammals. Further surveys may be required for bats.

Further recommendations for mitigation are found in Section 5.0 of this report.

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1. INTRODUCTION

Instruction

- 1.1 This Preliminary Ecological Appraisal (PEA) has been undertaken on behalf of Align Property Services (the Client) in respect of the Site at Sacred Heart Catholic Primary School, Goldthorpe. It has been produced to inform the Client of potential ecological constraints in relation to a future planning application for the Site.

Site Description

- 1.2 The Site is located at Sacred Heart Catholic Primary School, Goldthorpe. The Site is approximately 1.17 hectares (ha) in extent, consisting of the school complex, modified grassland and boundary woodland, and is centred on grid reference SE 46253 04660. The land is relatively flat standing at 55 metres above ordnance datum (m AOD). The location of the Site is shown in **Figure 1:1**, below.

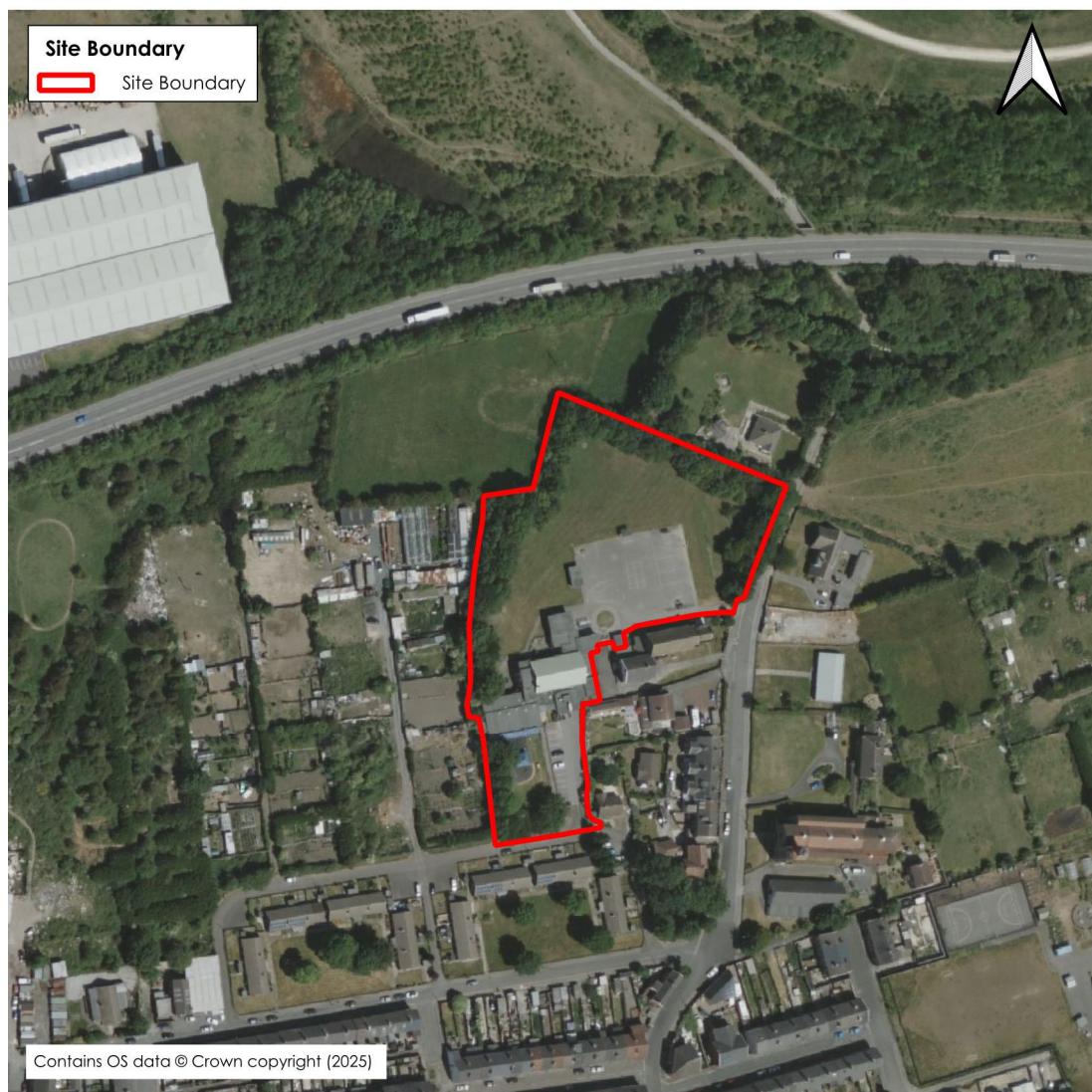


Figure 1:1: Site Location Plan

The Project

- 1.3 It is understood that the proposed development will include an extension to the north of the existing school building, into the area of hardstanding and some grassland, however, no plans have been provided at this stage.

Objectives

- 1.4 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

- 1.5 The ecological appraisal was informed by a desk-based study and a Site survey. 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

- 1.6 The following legislation relates to species and habitats that could potentially occur in association with the Site:
- The Environment Act 2021;
 - The Conservation of Habitats and Species Regulations 2017 (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;
 - The Protection of Badgers Act 1992;
 - Wild Mammals (Protection) Act 1996; and
 - The Hedgerow Regulations 1997.
- 1.7 Further information on the legislation above is provided in **Appendix 1**.
- 1.8 Consideration has also been given in this report to relevant National and Local Planning Policy as summarised below.
- 1.9 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.
- 1.10 In respect of the natural environment, the NPPF states under Paragraph 187 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 and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

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."

1.11 The NPPF Paragraph 192 states that:

"To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and

b) Promote the conservation, restoration and enhancement 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."

1.12 The NPPF Paragraph 193 also states that:

"When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other

developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 67 and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

- 1.13 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.
- 1.14 Additionally, the Barnsley Local Plan Core Strategy 2019 outlines several policies relating to biodiversity and greenspace, including the following which should be considered pertinent to the Site and proposed development:
- *Policy GI1: Green Infrastructure;*
 - *Policy BIO1: Biodiversity and Geodiversity*
 - *Policy GS1: Greenspace*

2. METHODS

Consultation

- 2.1 Barnsley Biological Records Centre (data requests operated by Sheffield BRC) (BBRC) were contacted to request records of any locally designated sites and/or protected species from the Site and land within a 2km radius. Records more than ten years old have been largely disregarded. A small portion of the search area fell within the jurisdiction of Doncaster Local Records Centre (DLRC), however, owing to the lack of connectivity and small proportion, no records were requested.
- 2.2 In addition, the data sources listed below were also searched to gather additional ecological data of relevance to the project, including the identification of non-designated ecologically sensitive habitats such as vegetation corridors, woodlands, watercourses and standing water.
- Multi-Agency Geographic Information for the Countryside (MAGIC);
 - Ordnance Survey 1:25,000 mapping; and
 - Aerial imagery (Google Imagery – imagery dated 2025).

UK Hab Survey

- 2.3 A Site survey was undertaken on 1st October 2025 by Craig Dickson MSc BSc (Hons). Craig has extensive experience in survey and site assessment for protected species and through holding a FISC Level 3 Accreditation is appropriately qualified for the surveys based on the CIEEM competencies for species surveys (CIEEM, 2017).
- 2.4 The visit was completed using UK Hab survey techniques as defined in the standard methodology (UKHab Ltd, 2023).
- 2.5 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.
- 2.6 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:
- Amphibians, including great crested newts (GCN);
 - Badgers *Meles meles*;
 - Bats;
 - Birds;
 - Reptiles; and
 - Priority Species, such as hedgehog *Erinaceus europaeus*.
- 2.7 Standard methodologies were used where applicable.

- 2.8 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 survey Site.

Survey Comments

- 2.9 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.
- 2.10 The survey was carried out in October 2025, in good weather conditions with sun and scattered clouds.
- 2.11 A survey at this time of year is sub-optimal for identifying botanical species as they start to die off, however 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.
- 2.12 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

Statutory Designated Sites

- 3.1 There were no international statutory designated sites within 6 km of the Site centre, and a single national statutory designated site, Dearne Valley Wetlands Site of Special Scientific Interest (SSSI), located within 2 km of the Site centre. The SSSI is located 1.53 km south of the Site boundary and is designated for its a network of 22 wetland, scrub and woodland areas that extends through the catchment of the River Dearne. The site lies within the local authority areas of Barnsley, Rotherham and Doncaster and is within the Dearne Valley Green Heart Nature Improvement Area.
- 3.2 There are no local statutory designated sites within 2 km of the Site boundary.
- 3.3 The Site falls within several Site of Special Scientific Interest (SSSI) Impact Risk Zones (IRZ), for the aforementioned SSSI, in addition to others, which list the following criteria:
- Infrastructure: Pipelines and underground cables, pylons and overhead cables (excluding upgrades and refurbishment of existing network). Any transport proposal including new or extended footways, cycleways, roads/car parks, railways and waterways (excluding routine maintenance). Airports, helipads and other aviation proposals.
 - Minerals, Oil and Gas: Planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction.
 - Rural Non-Residential: Large non-residential developments outside of existing settlements/urban areas where the footprint exceeds 1ha.
 - Rural Residential: Any residential development of 100 or more units outside existing settlements/urban areas.
 - Air Pollution: Any industrial/agricultural development that could cause AIR POLLUTION (including: industrial processes, livestock & poultry units with a floorspace > 500m², slurry lagoons > 200m² & manure stores > 250 tonnes).
 - Combustion: General combustion processes >20MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/combustion.
 - Waste: Landfill. Including: inert landfill, non-hazardous landfill, hazardous landfill.
 - Compost: Any composting proposal with more than 75000 tonnes maximum annual operational throughput. Incl: open windrow composting, in-vessel composting, anaerobic digestion, other waste management.
 - Discharge: Any discharge of water or liquid waste of more than 5m³/day that is discharged to ground (i.e. to seep away) or to surface water, such as a beck or stream.
 - Water Supply: Large infrastructure such as warehousing/industry where the total net additional gross internal floorspace following development is 1,000m² or more.
- 3.4 As the development is educational, none of the above criteria are likely to be triggered, such that further assessment is not considered necessary.

Non-Statutory Designated Sites

- 3.5 One non-statutory designated site was identified within 2 km of the Site boundary, the Bolton on Dearne Wetland Local Wildlife Site (LWS), located 1.46 km south of the Site. It is designated for its mosaic of marshy grassland, swamp, ponds and grazing pasture, however, is privately owned and in an unfavourable condition.

Habitats and Botanical Species

Overview

- 3.6 The UK Hab Survey Results Map with Target Notes (TNs) is provided in **Appendix 2** with accompanying habitat descriptions below. Relevant photographs are shown in **Appendix 3**. Botanical species nomenclature follows Stace (2019).
- 3.7 Habitats recorded comprised two fields consisting of modified grassland, separated by a hedgerow with mature trees and bounded by hedgerows to the north, south and west, with residential gardens to the east.

g4 Modified Grassland

- 3.8 The Site had a playing field in the northern extent, which was close mown and wet in parts. Species composition was consistent across the Site and consisted of dominant red fescue *Festuca rubra*, with occasional Yorkshire fog *Holcus lanatus*, white clover *Trifolium repens*, daisy *Bellis perennis*, creeping buttercup *Ranunculus repens* and *Taraxacum* sp. The wetter area had a higher abundance of Yorkshire fog, and bare ground was more prevalent.

w1g Other broadleaved woodland

- 3.9 The northern and southern extents of the Site were defined by a boundary woodland, which was mature, with species in the north including dominant cherry *Prunus avium*, with occasional oak *Quercus robur*, ash *Fraxinus excelsior*, silver birch *Betula pendula*, crack willow *Salix fragilis*, field maple *Acer campestre*, and sweet chestnut *Castanea sativa*, in addition to black pine *Pinus nigra*, and an understorey including holly *Ilex aquifolium*, blackthorn *Sambucus nigra*, rowan *Sorbus aucuparia* and common snowberry *Symphoricarpos albus*. The woodland had paths and play equipment within and was in use for educational purposes.
- 3.10 The southern parcel also included hawthorn *Crataegus monogyna*, hazel *Corylus avellana*, guelder rose *Viburnum opulus*, with late cotoneaster *Cotoneaster lacteus* also noted. The southern parcel was bounded by playground and had no functional understorey or ground flora.

u1 Built up areas and gardens

- 3.11 There were minor areas of introduced shrubs alongside the buildings, in addition to raised planters and a raised pond (TN1) in the western extent of the Site. Species

included ornamental shrubs and ivy *Hedera helix*, with wall cotoneaster *Cotoneaster horizontalis* (TN2) also noted.

u1b5 Buildings

- 3.12 The Site had a building complex in use as a school which consisted of buildings of different design and material, but for the most part was single storey, brick built or clad with a flat roof, albeit of varying heights and material. The central hall had a half barrel roof.
- 3.13 A second brick-built building was located to the south of the main complex, brick built with a pitched tiled roof. Whilst a third building, rendered with pebbledash and a flat concrete roof was located to the east of the main complex.

u1b Developed land, sealed surface

- 3.14 The Site included extensive hardstanding, with tarmac playgrounds, and block paving.

Protected / Notable Species

Badgers

- 3.15 No evidence of badgers was noted on-Site during the survey, such as setts, latrines or snuffle holes, whilst the woodland and grassland could provide some foraging habitat, the Site is bound by security fencing with access unlikely. There were no records of badgers within 2 km of the Site in the past ten years.

Bats

- 3.16 There were five records of two species of bats within 2 km of the Site in the past ten years, including common pipistrelle *Pipistrellus pipistrellus*, and noctule *Nyctalus noctule*. The closest recorded was of a noctule bat roosting at the former Goldthorpe Primary School, 230 m south of the Site, which was demolished under licence in 2016. The most recent record was of a common pipistrelle in 2021, approximately 1.26 km north-west of the Site boundary.
- 3.17 The Site had suitable foraging habitat, with the woodland edge providing a commuting route around the Site, however, the Site is subject to lighting which may deter less light tolerant species of bats.
- 3.18 No trees on-Site had features suitable to support roosting bats, however, there were structures on-Site which could support roosting bats.
- 3.19
- 3.20

- 3.21 Table 3.1 below details the buildings assessed for roosting features, photographs are included within **Appendix 3**.

Table 3.1: Bat Roost Assessment (Buildings)

Reference	Description	Assessment
B1	Complex of flat roof brick-built buildings with some cladding. Minor gaps into brickwork and into soffits, lifted lead flashing and gaps around pipework.	Low BRP
B2	New build brick building with pitched tiled roof, well-sealed with no suitable features.	Negligible
B3	Pebble-dashed outhouse with concrete roof, no obvious features	Negligible

Birds

- 3.22 The data search identified five species of birds currently listed on Schedule 1 of the WCA 1981, as amended, however, none are considered likely to utilise the habitats on-Site and are not considered a constraint. A further 13 species of birds currently listed on the Birds of Conservation Concern (BoCC5) Red List were recorded, including house sparrow *Passer domesticus*, greenfinch *Chloris chloris*, linnet *Linaria cannabaria*, starling *Sturnus vulgaris*, and willow tit *Poecile montana*, which may utilise the habitats on-Site.
- 3.23 The woodland provided suitable foraging and nesting habitat for ground nesting birds, whilst the flat roof may also provide some nesting habitat for gulls or feral pigeons *Columba livia*.
- 3.24 No birds were observed during the survey, and no nests or nesting activity was noted during the survey.

Reptiles & Amphibians

- 3.25 There were no records of reptiles within 2 km of the Site in the past ten years, and a single record of GCN, 885 m south-east of the Site boundary across urban areas.
- 3.26 The Site does not fall within a GCN Strategic Opportunity Area; however, it does fall within an Amber risk zone for the species, falling under the GCN District Level Licencing (DLL) scheme for Yorkshire.

- 3.27 The terrestrial habitat on-Site was largely unsuitable for amphibians and reptiles, lacking the suitable mosaic of habitats. However, a raised pond was located within an area of hardstanding to the north of Building 1 (TN1), although owing to accessibility and lack of surrounding habitat it was not considered likely to be utilised by GCN or other amphibians. No additional ponds were noted within 500 m of the Site boundary.
- 3.28 Reptiles and amphibians are not considered a constraint at the Site and are not mentioned further in this report.

Other Species

- 3.29 There were records of west European hedgehogs within 2 km of the Site in the past ten years, which were primarily associated with residential areas. The grassland and hedgerows at the Site could offer suitable foraging and commuting habitat with good connectivity to the wider area.

Invasive Species

- 3.30 Wall cotoneaster (TN2) was noted on-Site at the time of the survey, and is listed on Schedule 9 of the WCA 1981 as amended, as an invasive species.

4. EVALUATION

- 4.1 This section identifies the effects on habitats and species during different stages of the development, prior to any mitigation measures.

Designated Sites

- 4.2 Impacts to statutory and non-statutory designated sites, are considered unlikely due to their distance from the Site, and lack of corresponding habitat types or species likelihood on-Site. However, best practice measures relating to construction impacts including noise, dust, and light pollution, in addition to run off from construction, will be required.

Habitats

- 4.3 The habitats on-Site are common and widespread in the local area, and generally of low quality, and it is understood that a future development will be within existing areas of hardstanding or modified grassland. It is recommended that any new landscaping should complement the retained on-Site and off-Site habitats and utilise native species where possible.

Species

Badgers

- 4.4 Despite the lack of records, and suitable habitat, in addition to the perimeter fence, there remains a small chance that badgers may utilise the Site for foraging / commuting, if present in the wider area. Mitigation will be required during construction works to ensure no badgers are harmed.

Bats

- 4.5 The main building (B1) had features suitable for roosting bats, and was assessed as Low BRP, and will require further surveys to determine the presence / likely absence of bats at the Site.
- 4.6 The Site is subjected to lighting, however, the usage is likely tied to the operational hours of the school, though some light spill is anticipated from adjacent residential properties. The woodland edge provides a commuting corridor across the Site, and the Site may be utilised by foraging / commuting bats in the local area. No further surveys are considered necessary; however, it is recommended that a dark corridor be maintained along one of the boundaries of the Site to ensure commutability for foraging and commuting bats around the development.

Birds

- 4.7 The woodland and buildings on-Site could support nesting bird species, and the loss of this habitat would have a detrimental impact on local populations of birds, though it is

not anticipated that any woodland will be lost as part of the proposed development, mitigation will be required during the construction phase.

Other Species

- 4.8 The Site is suitable to support hedgehogs which may utilise the grassland and hedgerow for foraging, commuting and resting. A pre-commencement check for hedgehogs, and other mammals will be required in addition to a precautionary approach to vegetation clearance to ensure no mammals are harmed during the works.

Invasive Species

- 4.9 Wall cotoneaster was noted within planters at the Site and will require controlled removal during any site clearance works. An invasive species management plan is not considered necessary as these measures can be incorporated into construction management plans.

5. RECOMMENDATIONS

- 5.1 Further surveys will be required to inform a future planning application, details of which and their seasonal constraints are provided in **Table 5.1** below.

Table 5.1: Further Survey Requirement

Species	Rationale	Timing
Bats (Roosting)	B1 was assessed as having Low BRP Presence / absence surveys will inform the requirement for further surveys, mitigation or licencing.	One bat emergence survey of B1, however if an emergence is recorded, a total of three surveys will be required. Ideally the first survey would be undertaken in May to allow time for three surveys, if required. All surveys must be within the main bat season (May – August, inclusive) to inform a European Protected Species Licence (EPSL), if required.

- 5.2 Further to the above protected species surveying, the following reports are also recommended to accompany a future planning application for the Site.
- 5.3 A full Biodiversity Net Gain (BNG) assessment of the Site, once fixed plans are available in addition to landscaping. Landscaping at the Site should seek to retain as much woodland as possible, with additional enhancement and new landscaping provision.
- 5.4 An Ecological Impact Assessment (EcIA), following the further surveys, should be undertaken to determine the impacts of the proposed development on the habitats, and protected species in line with current guidance and legislation.
- 5.5 An Ecological Design Strategy (EDS) or similar document should be developed to ensure that retained ecological features are protected and any new features added are managed accordingly to ensure long-term success and an improvement to biodiversity.
- 5.6 General mitigation measures and good practice principals during the construction phase are recommended and should be included within a Construction Ecological Management Plan (CEMP: Biodiversity). The CEMP should include removal measures for wall cotoneaster.
- 5.7 Finally, the following pre-commencement surveys shown in **Table 5.2** are recommended and should be factored into the timetables of works.

Table 5.2: Pre-commencement Survey Requirement

Species	Rationale	Timing
Nesting birds	Survey will be required prior to the Site clearance only if carried out during the period March - August (inclusive). This would allow any active nests to be identified and protected.	Pre-clearance.
Pre-commencement checks for mammals	Species of terrestrial mammals may utilise the site for refuge, and any clearance of these habitats could potentially injure / kill them without mitigation in place.	Pre-clearance. Should any evidence of protected species be found, all works must cease, and further assessment be undertaken.

6. CONCLUSION

- 6.1 The Site has suitability for a range of species, with further surveys for roosting bats required prior to a planning application.
- 6.2 Any future development of the Site should be done so in accordance with the above recommendations, and changes to the boundary will require additional assessment to ensure that no habitats or species of importance are harmed during the works.

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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 Environment Act 2021

This legislation was revised in response to the Levelling-up and Regeneration Bill: reforms to national planning policy consultation on 19 December 2023 and sets out the government's planning policies for England and how these are expected to be applied. The Act mandates the requirement of 10% net gains for biodiversity and as such should be the aim of all new developments.

- The Conservation (Natural Habitats, and c.) Regulations 2017 (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.

- 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.

- The Protection of Badgers Act 1992

This act affords protection to badgers and their setts including the destruction or obstructing access to a sett.

- 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.

- The Hedgerow Regulations 1997

The regulations require landowners to notify local planning authorities if they want to remove a hedgerow that is over 20 metres long or that joins another hedgerow. The authorities can prohibit the removal of a hedgerow if it is important from archaeological, historical, landscape or wildlife perspectives.

Species-Specific Legislation

Species specific legislation is provided in the following Table:

Species Groups	Legislation	Restrictions
Amphibians, including Great Crested Newt (GCN)	Sch. 5 and Sch. 9 Wildlife and Countryside Act 1981 (as amended). Conservation of Habitats and Species Regulations 2017 (as amended). Countryside and Rights of Way Act 2000.	It is an offence to: • Sell; • Transport; • Advertise for sale. For GCN, as above but includes: • Kill; • Injure; • Disturb; • Destroy or obstruct access to any place used for rest or shelter.

Badgers	The Protection of Badgers Act 1992.	It is an offence to: • Wilfully kill, injure, take, or cruelly ill-treat a badger, or attempt to do so; • Possess any dead badger or any part of, or anything derived from, a dead badger; • Intentionally interfere with a sett by disturbing badgers whilst they are occupying a sett, damaging or destroying a sett, causing a dog to enter a sett, or obstructing access to it. A badger sett is defined in the legislation as “any structure or place, which displays signs indicating current use by a badger”.
Bats	Sch. 5 Wildlife and Countryside Act 1981 (as amended). Conservation of Habitats and Species Regulations 2017 (as amended).	It is an offence to: • Intentionally or deliberately kill, injure or capture (or take) bats; • Deliberately disturb bats (whether in a roost or not); • Disturb roosting bats or obstruct access to their roosts; • Damage or destroy bat roosts.
Birds	Wildlife and Countryside Act 1981 (as amended). Sch. 1 Wildlife and Countryside Act 1981 (as amended).	It is an offence to: • Kill; • Injure; • Take any wild bird, their eggs or nest (with the exception of those on Sch. 2). As above but includes: • Disturbing birds at their nest, or their dependent young.
Reptiles	Sch. 5 Wildlife and Countryside Act 1981 (as amended). Countryside and Rights of Way Act 2000.	It is an offence to: • Kill; • Injure; • Sell. For Smooth Snake and Sand Lizard, as above but includes: • Disturb; • Damage; • Destroy or obstruct access to any place used for rest or shelter.
Hedgehogs and Other Mammals	SPI – Section 41 NERC Act. Wild Mammals Protection Act 1996.	Protection from harm, injury intent to harm.

Otter	Sch. 5 Wildlife and Countryside Act 1981 (as amended). Conservation of Habitats and Species Regulations 2017 (as amended).	It is an offence to: • Intentionally or deliberately kill, injure or capture (or take); • Deliberately disturb; • Disturb or obstruct access to their place of rest or shelter; • Damage or destroy place of rest or shelter; • Possess, control or transport alive or dead.
Water Vole	Sch. 5 Wildlife and Countryside Act 1981 (as amended).	It is an offence to: • Kill; • Injure; • Take; • Possess or control alive or dead; • Disturb or obstruct access to their place of rest or shelter; • Damage or destroy place of rest or shelter.
Plants	Sch. 8 Wildlife and Countryside Act 1981 (as amended). Some species are SPI - Section 41 NERC Act.	It is an offence to: • Pick; • Uproot; • Trade; • Possess (for trade) any wild plant listed.
Invasive Species (Animal and Plant)	Sch. 9 Wildlife and Countryside Act 1981 (as amended).	It is an offence to: • Release of any animal, plant or microorganism not native to the UK; • Sell; • 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: UK Hab Plan

Appendix 3: Site Photographs



Photograph 1: Modified grassland playing field



Photograph 2: Broadleaved woodland



Photograph 3: Raised planters and pond in hardstanding



Photograph 4: Building 1 and introduced shrub



Photograph 5: Raised pond (TN1)



Photograph 6: Wall cotoneaster (TN2)



Photograph 7: Building 2



Photograph 8: Lifted flashing on B1



Photograph 9: Gap in soffit on B1



Photograph 10: Gaps under soffit on B1

