

# Sheffield Road, Hoyland Common

## Preliminary Ecological Appraisal

3<sup>rd</sup> November 2021



**Prepared by:**

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

| Document ref: MBE/ECO/2021/27/01 |                                     |                                |                                     |          |
|----------------------------------|-------------------------------------|--------------------------------|-------------------------------------|----------|
| Purpose and Description          | Originated                          | Checked                        | Reviewed                            | Date     |
| For Planning                     | P Middleton<br>MCIEEM<br>[REDACTED] | R Bell<br>MCIEEM<br>[REDACTED] | P Middleton<br>MCIEEM<br>[REDACTED] | 03.10.21 |

### 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.

|                                                                                                       |                                                                        |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|
| <b>Site Name</b><br>Land to the rear of Fairfield Garage                                              | <b>Location</b><br>Sheffield Road, Hoyland Common,<br>Barnsley S74 0DP |
| <b>Local Authority</b><br>Barnsley Metropolitan Borough<br>Council                                    | <b>Grid Reference</b><br>SE 3552 0004                                  |
| <b>Surveyor</b><br>Peter Middleton MCIEEM                                                             | <b>Date of Survey</b><br>28/10/2021                                    |
| <b>National Character Area</b><br>The Nottinghamshire, Derbyshire and<br>Yorkshire Coalfield (NCA 38) | <b>Designation of Site</b><br>None                                     |

|                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>UK Primary Habitats</b><br>w1g6 Line of trees, h2a Hedgerows, h3a Blackthorn scrub, h3d Bramble scrub, u1b5<br>Buildings, u1b6 Developed land; sealed surface, u1c Artificial unvegetated;<br>unsealed surface |
| <b>Secondary (habitat) Codes</b><br>11 Scattered trees, 16 Tall herb, 17 Ruderal/ephemeral, 48 Non-native, 57 Young<br>trees-self-set, 69 Fence, 73 Bare ground, 77 Neglected, 96 Industrial building             |
| <b>Protected/Notable Species, Constraints on Site</b><br>Japanese knotweed                                                                                                                                        |
| <b>HPIs and SPIs under NERC Act 2006</b><br>Hedgerows                                                                                                                                                             |
| <b>Barnsley BAP</b><br>None                                                                                                                                                                                       |

## Contents

|                                                                          |    |
|--------------------------------------------------------------------------|----|
| 1. Summary .....                                                         | 3  |
| 2. Introduction .....                                                    | 4  |
| 3. Site Description.....                                                 | 4  |
| 4. Methodology .....                                                     | 5  |
| 5. Ecological Baseline.....                                              | 7  |
| 6. Assessment .....                                                      | 13 |
| 7. References .....                                                      | 14 |
| Appendix 1. UK Habitat Classification Plan .....                         | 15 |
| Appendix 2. Plant Species Recorded on Site .....                         | 16 |
| Appendix 3. Relevant Legislation and Policy .....                        | 17 |
| Appendix 4. Distribution of Designated Sites within the Search Area..... | 20 |

## 1. Summary

- 1.1.1 The Preliminary Ecological Appraisal of land to the rear of Fairfield Garage, Sheffield Road, Hoyland Common was commissioned by Josh Armitage of D.H. Armitage Transport Ltd on 21<sup>st</sup> October 2021. The UK Habitat Classification survey was undertaken on 28<sup>th</sup> October 2021.
- 1.1.2 The survey was commissioned to inform a planning application for the clearance of semi natural habitats on site in order to provide additional trailer storage within the curtilage of D.H. Armitage Ltd compound.
- 1.1.3 Site habitats are considered to be of importance to nature conservation at the site level only. In addition, the site is not considered to be of importance to any species or species group at greater than the site level.
- 1.1.4 The following additional ecological constraints and associated recommendations to avoid/mitigate/compensate for potential impacts have been identified.
  - Site clearance to be undertaken either outside the main nesting bird period (March to August) or be preceded by a nesting bird check undertaken by an ecologist.
  - Potential damage to the roots of hedgerows retained. Root protection measures detailed in British Standard 5837 (2012): Trees in relation to design, demolition and construction, should be followed.
  - Hedgerows should be laid with gaps planted up with native shrubs and trees of species including guelder rose, field maple and hazel.
  - New hedgerow planting along the southern boundary.
  - It is advised that specialist advice is sought for the removal of Japanese knotweed within the wider site.
- 1.1.5 In addition to the mitigation and compensation detailed above, enhancement recommendations include:
  - Two general purpose woodcrete nests boxes should be installed at least 3m from the ground on trees at the site's boundaries.
- 1.1.6 The findings of this survey are considered to be valid for up to 24 months of the survey date. After this time re-survey of the site may be necessary.

## 2. Introduction

- 2.1.1 The Preliminary Ecological Appraisal of land to the rear of Fairfield Garage, Sheffield Road, Hoyland Common was commissioned by Josh Armitage of D.H. Armitage Transport Ltd on 21<sup>st</sup> October 2021. The UK Habitat Classification survey was undertaken on 28<sup>th</sup> October 2021.
- 2.1.2 The survey was commissioned to inform a planning application for the clearance of semi natural habitats on site in order to provide additional trailer storage within the curtilage of D.H. Armitage Ltd compound.
- 2.1.3 Land within the redline boundary largely consists of developed land (sealed surface, buildings and unvegetated unsealed surface), together with a little dense scrub and hedgerows. The site is on the outskirts of Hoyland Common near Junction 36 of the M1, approximately 6km south of Barnsley town centre.
- 2.1.4 The purpose of this report is to present the findings of a UK Habitat Classification survey together with determining the potential for, or presence of, protected and notable species. An appended map of the site shows the habitats present. Where impacts can be confidently determined, recommendations in relation to avoiding, mitigating and compensating for these impacts are included in this report, together with biodiversity enhancement recommendations.
- 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 site consists of an area 0.83 ha in extent, which comprises the offices, workshop and vehicle/trailer storage area for D.H. Armitage Transport Ltd. Semi-natural habitats on site are limited to an area of scrub near the northern periphery and boundary hedgerows and trees. Google earth images from c2000 reveal that this area of semi-natural habitat appears to have colonised on an area of former pasture
- 3.1.2 The northern and northeast boundaries are adjacent to the gardens of residential properties on Tankersley Lane and Sheffield Road (see Figure 1). To the immediate west is a small field containing grassland and to the south is arable land. The large Hermes development is a short distance to the southwest. The M1 motorway is c.400m southwest of the site at its closest point.
- 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 Soilscape resource shows soils in the area to comprise slowly permeable seasonally wet acid loamy and clayey soils.

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



## 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

#### UK Habitat Classification Survey

- 4.2.1 The site was surveyed on 28<sup>th</sup> October 2021 using UK Habitat Classification habitat survey methodology (Butcher *et al.*, 2020) version 1.1, by the following personnel:

- Peter Middleton (MCIEEM)

- 4.2.2 The surveyor is a competent botanist who was a major contributor to the South Yorkshire Plant Atlas (Wilmore *et. al.*, 2011). He has more than 20 years' experience of undertaking botanical surveys including appraisals of Local Wildlife Sites (LWSs) in Barnsley, Doncaster and East Yorkshire, as well as National Vegetation Classification (NVC) survey in the Yorkshire Dales National Park.
- 4.2.3 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 UK Habitat Classification plan, using Secondary Codes and Target Notes where appropriate 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).
- 4.2.4 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.
- 4.2.5 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).

### **4.3 Methods of Assessment**

- 4.3.1 The value and sensitivity of ecological features present on site were determined based on the guidance provided within 'Guidelines on Ecological Impact Assessment in the UK and Ireland' (CIEEM, 2018). 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.

### **4.4 Survey Limitations**

- 4.4.1 The survey was undertaken outside the optimal period for undertaking detailed botanical surveys, however, given the habitats present on site, this is not considered a significant constraint.

## 5. Ecological Baseline

### 5.1 Data Consultation

- 5.1.1 Designated sites present within 2km of the application area are detailed in Table 1. (Also, see Appendix 4). The nearest Ancient Semi Natural Woodlands are Skiers Spring Wood and Short Wood (see Table 1 & Appendix 4).

**Table 1. Designated sites**

| Designation                | Name                   | Interest                      | Distance from site    |
|----------------------------|------------------------|-------------------------------|-----------------------|
| Local Nature Reserve (LNR) | Potter Hole            | Broad leaved Woodland         | 1.2km west            |
| Local Wildlife Site (LWS)  | Potter Hole            |                               | 1.2km west            |
|                            | Skiers Spring Wood     | Ancient Semi Natural Woodland | 1.35km north          |
|                            | Short Wood & Hay Green | Ancient Semi Natural Woodland | 1.35km east-southeast |

- 5.1.2 Records of protected and notable species obtained are discussed in the species sections of the results.

### 5.2 Field Survey

#### UK Habitat Classification Survey

- 5.2.1 The arrangement of site habitats is shown on the UK Habitat Classification plan in Appendix 1, whilst a field survey botanical species list is provided in Appendix 2.
- 5.2.2 The site is considered to be of no more than site level importance to nature conservation for the habitats supported. The site is not considered to be of importance to any species or species groups at greater than the site level.
- 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*

##### w1g6 Line of trees

- 5.2.4 A short line of immature trees comprises single specimens of wych elm *Ulmus glabra*, horse chestnut *Aesculus hippocastanum* and cherry laurel *Prunus laurocerasus*. (see Appendix 1). A spruce *Picea* and a weeping willow *Salix x sepulcralis* which appear to be on the boundary are actually in the gardens of adjacent properties (see Plate 2). This habitat is considered to be in moderate condition as it meets three of five of the Condition Assessment Criteria stated in Biodiversity Metric 3.0 (Panks et al., 2021).

##### h2a Hedgerows

- 5.2.5 There are three lengths of hedgerow at the site's boundaries, totalling c.145m. All hedgerows have a large component of abundant or frequent elder *Sambucus nigra* together with frequent hawthorn *Crataegus monogyna*, occasional bramble *Rubus fruticosus* agg. and rarely occurring wild cherry *Prunus avium* and ash *Fraxinus*

*excelsior*. None support more than two woody species, as included on the Hedgerow Regulations (1997). All hedges have been neglected and consist of old leggy specimens with a height of approximately 3-4m and 2m wide.

- 5.2.6 All site hedgerows are dominated by native woody species and consequently classify as examples of the hedgerows Habitat of Principal Importance (HPI) under Section 40 of the NERC Act 2006. The hedgerows are however species poor (< five woody species in representative 30m length) and do not classify as Important under the ecological criteria of the Hedgerow Regulations (1997).

#### h3a Blackthorn scrub

- 5.2.7 In the northern section of the site, which is proposed for clearance to make way for further lorry and trailer parking facility, there is a relatively small area of young but largely dense blackthorn *Prunus spinosa* scrub. There is also occasional hybrid willow *Salix cinerea x caprea* on the periphery, together with rarely occurring Stagshorn sumach *Rhus typhina*. Tall herb (secondary code 16) present within the scrub includes occasional nettle *Urtica dioica*, creeping thistle *Cirsium arvensis* and rarely occurring mugwort *Artemisia vulgaris*. The scrub is considered to be in poor condition as it does not meet most of the Condition Assessment Criteria stated in Biodiversity Metric 3.0 (Panks et al., 2021). For example, there is not a good age range, it does not have a well-developed edge with tall grassland or herbs, there are no clearings or rides and there is not an absence of non-native species.

**Plate 1. Neglected hedgerow along western boundary, scrub and tall herb on right**



#### h3d Bramble scrub

- 5.2.8 This habitat constitutes the majority of semi natural habitats on site and largely surrounds the patch of blackthorn scrub (h3a). Within this bramble scrub are a scattering of immature silver birch *Betula pendula* and a large hawthorn (secondary code 11). Also, tall herbs (secondary code 16) present include locally abundant great willowherb *Epilbium hirsutum* and occasional creeping thistle and broad-leaved dock *Rumex obtusifolius*. The scrub is considered to be in poor condition as it does not meet

three of the Condition Assessment Criteria stated in Biodiversity Metric 3.0 (Panks et al., 2021). For example, there is not a good age range, it does not have a well-developed edge with tall grassland or herbs and there are no clearings or rides.

**Plate 2. Bramble scrub, the far-right tree in distance is within the line of trees, all other trees are in adjacent gardens**



#### u1b5 Buildings

- 5.2.9 Buildings on site include the business offices, a workshop and a small, detached structure near the entrance. None of these buildings are impacted by the proposals. Furthermore, they offer no more than a negligible level of bat roost potential (see Plate 3).

#### u1b6 Developed land; sealed surface

- 5.2.10 This habitat constitutes a large proportion of the site (see Plates 2 & 3). The surface is tarmac (see Plate 3).

**Plate 3. View northwest towards area of unsealed surface**



u1c Artificial unvegetated; unsealed surface

- 5.2.11 Between u1b and the scrub, which is proposed for clearance, there is a relatively large area of unsealed surface some of which is used for trailer parking and storage of materials and aggregates (see Plate 6).

**Plate 6. View northwest towards area of semi-natural habitats**

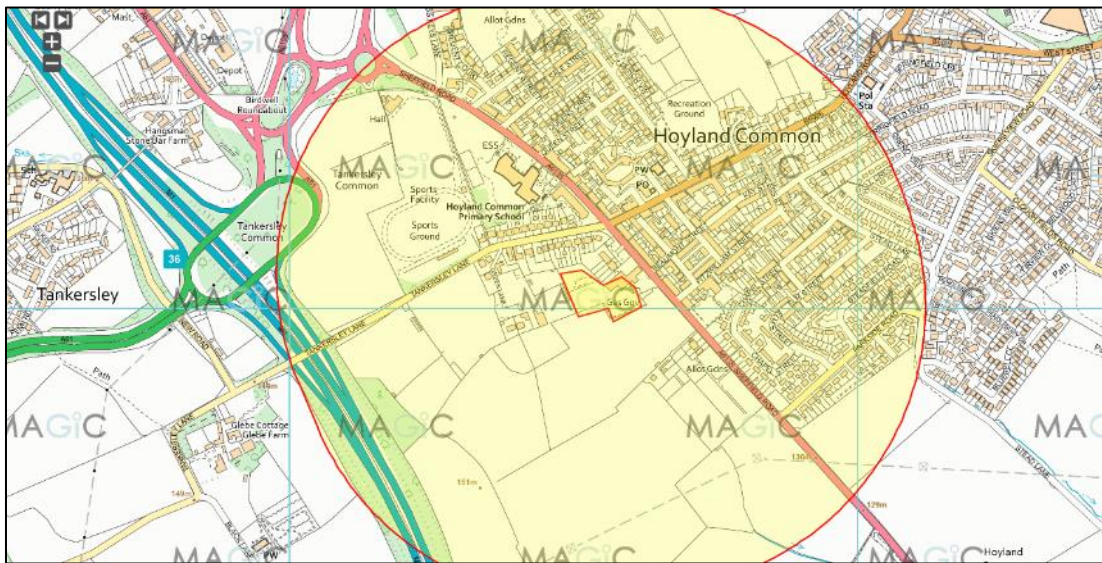


*Species and species groups*

Amphibians

- 5.2.12 Ten Great Crested Newt (GCN) *Triturus cristatus* records were provided by BBRC for locations with a 1.5km radius of the site. The nearest record of a nymph was collected in 2013, supposedly from a location 190m west of the site. This location is in the middle of a field with no pond therefore this record's location is considered likely to be inaccurate. The remaining nine records are from ponds west of the M1 motorway.
- 5.2.13 One GCN EPS mitigation licences has been issued for a location within a 2km radius of the site. The licence was issued in 2010 to permit the destruction of a GCN resting place at a location 1.9km west of the site centroid.
- 5.2.14 No ponds were identified during the pond search for locations within 500m of the application site and no standing water was recorded from the site. Taking into account the apparent lack of local ponds and the barrier to movement between local presence recorded and the site (excluding the single assumed erroneous record), GCN are considered unlikely to be a receptor to the proposed scheme
- 5.2.15 An additional 83 common amphibian records were proved by BBRC for locations within a 1.5km radius of the site. Species positively identified include common frog *Rana temporaria*, common toad *Bufo bufo* and smooth newt *Lissotriton vulgaris*. Given the lack of ponds in this area, the site is unlikely to be more than site level importance to common amphibians.

**Figure 2. Pond search (500m search), as indicated by red circles**



## Badger

- 5.2.16 No badger setts or other evidence of usage were found on site. Records of badger in the search area were provided west of the motorway, however, given the barrier to movement as a consequence of the M1 motorway, plus the site is largely fenced, it is not considered likely to be part of a wider foraging area for this species.

## Bats

### Historical records

- 5.2.17 One hundred and fifty-seven bat records were provided by BBRC for locations within a 1.5km radius of the site. Species included in the records which were positively identified comprise common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, noctule *Nyctalus noctula*, brown long-eared bat *Plecotus auritus* and whiskered bat *Myotis mystacinus*. Other records relate to either an unidentified *Pipistrellus* species, an unidentified *Nyctalus* species or an unidentified species of bat. The closest records to site comprises common pipistrelle, brown long-eared bat and whiskered bat roosts, collected in 2019 from a location 680m southwest of the site centroid.
- 5.2.18 Three historic bat EPS mitigation licences have been obtained for locations within 2km of the application site. The nearest licence was issued in 2017 to permit the destruction of a common and soprano pipistrelle resting place, in a location 1km south of the site.

### Bat foraging, commuting habitat and site trees

- 5.2.19 No site trees display potential for use by roosting bats. The site's boundaries and scrub habitats would appear to provide some appeal to foraging bats. However, no more than similar habitats in the wider area.

### Birds

- 5.2.20 House sparrow *Passer domesticus* were recorded at the site's boundaries. This species is listed on the Red List of Species of Conservation Concern (Eaton *et. al.*, 2015). Other species of bird recorded on site included wren *Troglodytes troglodytes*, blackbird *Turdus merula*, dunnoek *Prunella modularis* and blue tit *Cyanistes caeruleus*. Site habitats will be used for nesting and foraging by a variety of common garden birds.

### Hedgehog

- 5.2.21 Ten hedgehog *Erinaceus europaeus* records were provided by BBRC for locations within a 1.5km radius of the site. The nearest record (road casualty) to site was collected in 1985 from a location 200m northwest of the site. Some of the site would appear to have some appeal to hedgehogs, but no more than adjacent habitats.

### Invasive species

- 5.2.22 Japanese knotweed *Fallopia japonica* was located on the southern boundary of the site (see TN1, Appendix 1). This species is included on Schedule 9 of the Wildlife & Countryside Act 1981, it is illegal to plant or inadvertently spread this species in the wild.

### Invertebrates

- 5.2.23 The ubiquitous habitats on site are unlikely to support notable assemblages of invertebrates.

### Plants

- 5.2.24 The habitats present do not include long-established unimproved grasslands, ancient woodlands, species rich hedgerows or other diverse botanical communities. Therefore, protected or priority plants are unlikely to be present.

### Reptiles

- 5.2.25 Five reptile records were provided by BBRC for locations within a 1.5km radius of the site. Three old adder *Viera berus* records with only 2 figure grid references collected between 1988 and 1991 are almost certainly misidentified grass snakes. Two grass snake records collected in 2010 and 2013 are for locations almost 1.5km from the site centroid.
- 5.2.26 Considering there are no suitable habitats on site for reptiles and no connectivity with suitable habitats elsewhere, reptiles are not considered likely to be a receptor to the proposed scheme.

## **6. Assessment**

### **6.1 Proposals**

- 6.1.1 The assessment of impacts is based upon the site plan entitled 'Proposed Site Plan for Fairfield Garage / Sheffield Road / Hoyland Common / Barnsley / S74 ODP'. All the scrub habitats on site will be lost, however, all existing boundary hedgerows and trees will remain intact.

### **6.2 Assessment of Impacts**

#### Designated sites

- 6.2.1 No impacts are anticipated upon designated sites due to the nature of the proposed development and the distance from the designated sites.

#### Habitats

- 6.2.2 Hedgerows will be retained and therefore impacts upon semi-natural habitats are likely to be restricted to the loss of scrub. Given the scrub has recently developed, it is somewhat isolated and in an already ecologically degraded area between the motorway and the A61 Sheffield Road, impacts upon this habitat are considered to be no more than site level importance to nature conservation.

#### Species

##### *Bats*

- 6.2.3 Negative impacts upon foraging bats are considered unlikely to be more than at a site level given hedgerows and trees at the site's boundaries will remain intact.

##### *Birds*

- 6.2.4 Impacts upon foraging and nesting birds as a consequence of the loss of semi natural habitats are not considered to be of importance at greater than the site level given semi natural habitats at the site's boundaries will remain intact and the scrub is not well developed or diverse.

##### *Invasive species*

- 6.2.5 Whilst Japanese knotweed has been located on site, it is not in the area subject to site clearance to make way for trailer parking. Therefore, the proposed development is unlikely to spread this species on site.

### **6.3 Further Survey and Mitigation**

#### Habitats

- 6.3.1 Hedgerows and trees at the site's boundaries will be retained. 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 hedgerows at the site's boundaries.

- 6.3.2 In order to increase the ecological value of the existing hedgerows and compensate for the loss of scrub, it is advised that hedgerows are laid with gaps planted up with saplings of native shrub and tree species. New species should include guelder rose *Viburnum opulus*, field maple *Acer campestre* and hazel *Corylus avellana*. In addition, it is advised that a new hedgerow is planted along the southern boundary. These measures could be formalised in an Ecological Design Strategy.

#### Invasive species

- 6.3.3 Although not directly impacted by the proposals; it is highly recommended that specialist advice is sought for the removal of Japanese knotweed within the wider site.

### **6.4 Enhancements**

- 6.4.1 In accordance with the aims of planning policy NPPF: 15, it is suggested that the developer adopts the recommendations detailed below. Please note that the enhancements have been informed by the results and findings of the field survey.

- Two general purpose woodcrete nests boxes should be installed at least 3m from the ground on trees at the site's boundaries.

### **6.5 Conclusion and Residual Effects**

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

## **7. References**

Butcher B, Carey P, Edmonds R, Norton L & J Treweek (2020) The UK Habitat Classification User Manuals Version 1.1 at <http://www.ukhab.org/>

CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal and Marine. 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.

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

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

Panks S, White N, Newsome A, Potter J, Heydon M, Mayhew E, Alvarez M, Russell T, Scott SJ, Heaver M, Scott SH, Treweek J, Butcher B & D Stone (2021) Biodiversity metric 3.0: Auditing and accounting for biodiversity – User Guide. Natural England.

Wilmore GTD, Lunn J and Rodwell JS. (2011) The South Yorkshire Plant Atlas, Yorkshire Naturalist Union.

## **Appendix 1. UK Habitat Classification Plan**



## Appendix 2. Plant Species Recorded on Site

D = Dominant, A = Abundant, F = Frequent, O = Occasional, R = Rare

| Species                       | Common name        | DAFOR Rating | Habitat  |
|-------------------------------|--------------------|--------------|----------|
| <i>Plantago major</i>         | Greater Plantain   | R            | u1c      |
| <i>Senecio vulgaris</i>       | Groundsel          | O            | u1c      |
| <i>Sonchus oleraceus</i>      | Smooth Sow-thistle | O            | u1c      |
| <i>Dactylis glomerata</i>     | Cock's-foot        | O            | u1c      |
| <i>Lolium perenne</i>         | Perennial Ryegrass | O            | u1c      |
| <i>Polygonum aviculare</i>    | Knotgrass          | O            | u1c      |
| <i>Fallopia japonica</i>      | Japanese Knotweed  | O            | u1c      |
| <i>Rumex obtusifolius</i>     | Broad-leaved Dock  | O            | u1c, h2d |
| <i>Prunus avium</i>           | Wild Cherry        | R            | h2a      |
| <i>Sambucus nigra</i>         | Elder              | F            | h2a      |
| <i>Salix</i>                  | Willow             | O            | h3d      |
| <i>Cirsium vulgare</i>        | Spear Thistle      | O            | u1c      |
| <i>Cirsium arvense</i>        | Creeping Thistle   | O            | h3d      |
| <i>Artemisia vulgaris</i>     | Mugwort            | R            | h3d      |
| <i>Epilobium hirsutum</i>     | Great Willowherb   | O            | h3d      |
| <i>Urtica dioica</i>          | Common Nettle      | O            | h3d      |
| <i>Rhus typhina</i>           | Stag's-horn Sumach | R            | h3d      |
| <i>Prunus spinosa</i>         | Blackthorn         | A            | h3a      |
| <i>Rubus fruticosus agg.</i>  | Bramble            | A            | h2a, h3d |
| <i>Fraxinus excelsior</i>     | Ash                | R            | h2a      |
| <i>Aesculus hippocastanum</i> | Horse-chestnut     | R            | w1g6     |
| <i>Crataegus monogyna</i>     | Hawthorn           | F            | h2a      |
| <i>Ulmus glabra</i>           | Wych Elm           | R            | w1g6     |
| <i>Betula pendula</i>         | Silver Birch       | O            | h3d      |
| <i>Prunus laurocerasus</i>    | Cherry Laurel      | R            | w1g6     |

## 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 Nature Reserves (LNR) | LNRs are of local, but not necessarily national, importance. An LNR can also be an SSSI (Site of Special Scientific Interest), but often is not, or may have other designations. Except where the site is an SSSI, there is no legal necessity to manage an LNR to any set standard and there is no national legal protection specifically for LNRs. An LWS has certain protection against development on and around it. This protection is usually given via the local plan, (produced by the Local Planning Authority (LPA), and often supplemented by local by-laws. |
| 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) | <p>These animal species and their breeding sites or resting places are protected under Regulation 41 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, which makes it illegal to:</p> <ul style="list-style-type: none"> <li>• Intentionally or deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs.</li> <li>• Deliberately disturb such an animal.</li> <li>• Damage or destroy a breeding site or resting place of such an animal.</li> </ul> <p>European Protected Species (EPS) licences can be granted by Natural England in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed:</p> <ul style="list-style-type: none"> <li>• The development is for reasons of overriding public interest.</li> <li>• There is no satisfactory alternative; and</li> <li>• The favourable conservation status of the species concerned will be maintained and/or enhanced.</li> </ul> <p>Under Regulation 9(5) of the Conservation Regulations, Planning Authorities have a legal duty to 'have regard to the requirements of the EC Habitats Directive in the exercise of their functions'. This means that they must consider the above 3 tests when determining</p> |

| Species                                                                                     | Legal Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                             | <p>whether Planning Permission should be granted for developments likely to cause an offence under the Conservation Regulations. As a consequence, Planning Applications for such developments must demonstrate that the 3 tests will be passed.</p> <p>Natural England also allow sites to be registered on the Bat Low Impact Class Licence to permit activities that would otherwise be unlawful under the Conservation Regulations where the 3 tests can be passed and the bat roosts to be impacted are of low conservation status.</p>                              |
| <b>National protection</b>                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| European Protected Species and other species including water vole and white clawed crayfish | <p>These animals receive full protection under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to:</p> <ul style="list-style-type: none"> <li>• Intentionally kill, injure or take any such animal.</li> <li>• Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal; and</li> <li>• Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.</li> </ul> |
| Common amphibians and reptile species                                                       | <p>These animals receive limited protection under The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal to intentionally kill or injure any such animal.</p>                                                                                                                                                                                                                                                                                                                                           |
| Badger                                                                                      | <p>The Protection of Badgers Act 1992 makes it illegal to wilfully kill or injure a Badger or attempt to do so and also make it illegal to intentionally or recklessly interfere with a Badger sett. This includes damaging or destroying a sett, obstructing access to a sett and disturbing a Badger while it is occupying a sett. Licences can be granted by Natural England to permit sett closure and/or disturbance between July and November inclusive.</p>                                                                                                        |
| Schedule 1 birds                                                                            | <p>Special penalties relate to offences concerning birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). In addition to the offences detailed above relating to all wild birds, it is illegal to intentionally or recklessly disturb any Schedule 1 bird or their dependent young while nesting.</p>                                                                                                                                                                                                                                          |
| All bird species                                                                            | <p>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:</p> <ul style="list-style-type: none"> <li>• Intentionally kill, injure or take any wild bird.</li> <li>• Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.</li> </ul>                                                                                                                                                                 |
| Invasive species                                                                            | <p>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.</p>                                                                                                                                                                        |

### 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 2021. The NPPF's policy on biodiversity has been summarised by the Government as: "The Framework underlines that the planning system should seek not just to protect, but, where possible to enhance biodiversity – making sure we don't just have isolated pockets of wildlife, but rich and connected green spaces for all kinds of species to thrive. Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland."

### **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. Distribution of Designated Sites within the Search Area

