

[REDACTED]

From: [REDACTED]
Sent: 08 December 2023 17:30
To: MU1
Subject: 2021/1089 & 2021/1090

Categories: [REDACTED]

DM, [REDACTED]

Thank you for consulting me regarding the above applications. Comments below set out where amendment or clarification is required. A summary is provided at the end of these comments, which should hopefully assist in your understanding of potential biodiversity impacts on site and mitigation/compensation proposed.

Chapter 7 – Ecology

- The desk study supporting the Ecological Impact Assessment (EclA) includes a data search carried out with Barnsley Biological Record Centre, but it does not appear that records have been obtained from the South Yorkshire Bat Group or South Yorkshire Badger Group. Records from these groups should be obtained to inform the assessment.
- Paragraph 7.3.2 of the ecology chapter advises that statutory sites within 5km of the proposals site are considered; however, there are a number of Sites of Special Scientific Interest (SSSI) within the 5km search area which are not listed within table 7.3 (this table is titled non-statutory Designated Sites and level of Importance; however, it includes statutory sites, such as Special Areas of Conservation and Special Protection Areas). When referring to the governments MAGIC website there are two parcels of the Dearne Valley Wetland Site of Special Scientific Interest (SSSI) (units 21 and 22) situated within 5km of the proposals site to the south and Pye Flatts Meadows SSSI located to the west. A small part of proposals site is located within the SSSI Impact Risk Zone of the Dearne Valley Wetlands SSSI; however, the proposals type is not one which is considered to have an impact upon the SSSI and consultation with Natural England will not be required. Although an impact is considered unlikely, these sites should be included within the Ecology Chapter for completeness.
- The residual impact upon Redbrook Pastures Local Wildlife Site (LWS) and on-site woodland habitat, once the site becomes operational is considered to be negligible; however, it is likely that use of these areas, where access is available, will significantly increase once the residential site becomes occupied. Measures should be set out within the Biodiversity Enhancement Management Plan (BEMP) with the aim of reducing adverse impacts, such as the installation of interpretation boards, dog waste bins, etc., as well as monitoring of the LWS and woodland once the site is occupied to assess impacts and the requirement for further mitigation measures, such as fencing of footpaths, etc. A negligible residual impact upon these receptors is not considered to be realistic, with a minor adverse impact considered more likely.
- A number of hedgerows occur within the site, all of which have been identified as representing priority habitat and a number which have been identified as being 'important' under the Hedgerow Regulations 1997. The proposals will cause the loss of the majority of existing hedgerows on site and whilst it is appreciated that new hedgerow planting/hedgerow translocation will take place, I am not in agreement that the residual impact as a result of the proposals will be negligible. In the short term there will be at least a minor adverse impact, as established hedgerows will be lost and new hedgerow planting/translocated hedgerows will not provide the same level of connectivity, cover, etc. for a number of years.
- As set out above, the residual impact anticipated upon bats of negligible is also considered to be unrealistic and a minor adverse impact within the short-term, through loss of hedgerows and increased lighting, is more appropriate. A detailed sympathetic lighting scheme should be secured by way of planning condition, to set out how proposed lighting will be designed to avoid adverse impact upon foraging and commuting bats.
- A minor to major adverse impact upon breeding birds is anticipated due to farmland and ground nesting bird species of conservation concern being identified on-site. Minimal mitigation has been suggested to address

this impact and will need to be considered. This is discussed further below within comments concerning breeding bird surveys.

- Paragraph 7.4.61 gives a different number of SUDs basins proposed to that stated in paragraph 7.4.10. This should be checked and amended, where necessary.
- The ecology chapter sets out that a small section of stream located within the woodland to the north of Hermit Lane is likely to be culverted. Reduction of this habitat is considered likely to cause a significant impact at a local level. A policy for the MU1 allocation is to retain, buffer and manage the watercourse, grassland and woodland north-east of Hermit Lane. This was a point made in the original consultation response provided in January 2022 by Wildscapes and has not been addressed. The woodland in which the works will take place has also been assessed as representing ancient woodland as part of ecological surveys carried out. Standing advice for ancient woodland is that proposed development should avoid impact on this habitat, it is classed as irreplaceable habitat within the National Planning Policy Framework and planning policy BIO1 within the Barnsley Local Plan states that “*development will be expected to conserve and enhance the biodiversity and geological features of the borough by Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland....*” Proposals to culvert the stream within the woodland should be reconsidered, so the proposed development is in line with site policy, planning policy BIO1 and national standing advice.

Preliminary Ecological Appraisal

- As discussed above, the statutory and non-statutory site evaluation does not include SSSIs within proximity of the proposals site.
- The habitat description table includes arable fields which occur to the south of the site. The UK Habitat Classification code given is modified grassland. This should be checked and amended, where necessary.

Ancient Woodland Assessment

- The woodland to the east of the site has been subject to a robust assessment, with reference made to historic maps and a botanical survey undertaken during appropriate timings. The assessment concludes that the woodland is representative of ancient woodland, with cartographic evidence dating to between 1577 to 1667 indicating a wooded landscape and the presence of ancient woodland indicator species.
- A 15m buffer around the woodland edge is proposed, in line with national standing advice and the landscape masterplan indicates that appropriate native shrub planting is proposed within the buffer zone, which is welcomed.
- The assessment advises that existing footpaths within the woodland will be formalised using bark mulch (or similar) to deter desire lines. It is stated that the process of formalising the footpaths will be undertaken using hand tools. This should be detailed within a Construction Environmental Management Plan (CEMP – Biodiversity), which can be secured by a planning condition. As set out above the BEMP should include measures such as the installation of interpretation boards and dog waste bins, as well as monitoring of impacts upon the woodland and possible contingency measures.

Biodiversity Offsetting Assessment and Biodiversity Metric (Barnsley West Combined)

- The metric version used does not allow me to view the habitat trading summaries tab. Can the applicant’s ecologist please look into rectifying this?
- The total area of the baseline habitats is 114.80; however, within ecology reports it is mentioned that the site area equates to approximately 120ha. When undertaking a rough measurement of the combined site, I would concur with 120ha. This should be checked and amendments made, where required. Furthermore, the total site area under the on-site habitat creation tab (excluding areas of individual trees) is different to the total area of baseline habitats. This is flagged as an error within the metric. This should also be checked and amended, where necessary.
- Two waterbodies were assessed using the MoRPh field survey method. Evidence should be provided that the assessor is appropriately qualified and has the relevant River Condition Assessment accreditation.
- Woodland parcel W1 is given a condition of good although it obtains a score of 32 within the condition assessment. The condition sheet for woodland habitat types advises that this would be moderate (26 to 32). This should be amended as it causes a small change to the final result of the metric.

- The metric indicates that there will be losses in area to woodland parcels W2 and W3 (under retention category biodiversity value). These areas have been identified as ancient woodland habitat and appendix 7.8 (Ancient Woodland Assessment) indicates that there will be no development within the ancient woodland, hence no direct habitat loss will occur. As advised in relation to the stream on site, there is national standing advice, national policy, site policy and planning policy within the Local Plan requiring retention of such habitat due to it being irreplaceable. Any proposed loss of the woodland should be reconsidered, so the proposed development is in line with site policy, planning policy BIO1 and national standing advice. If this is an error within the metric, this should be amended accordingly.
- The metric also indicates that woodland parcel W4 will be lost to the proposals. This area is not identified as ancient woodland but as lowland mixed deciduous woodland (a habitat of principal importance) planning policy states that *“development will be expected to conserve and enhance the biodiversity and geological features of the borough by protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006...”*. This habitat should therefore be retained within the proposals. Table 3 of the biodiversity offsetting report indicates that the woodland will be retained, and the landscape masterplan (drawing no. P11754-00-001-GIL-0100) also shows this habitat as retained, therefore the loss of this habitat within the metric may be an error. Amendments should be made, where necessary.
- Table 2, other neutral grassland – it’s advised that the grassland parcels score a moderate condition as 4 out of 5 criteria are met; however, as a non-acidic grassland type there are 6 criteria. As 4 of the 6 criteria are met, this still results in a moderate condition, so no amendment is required in the metric.
- Table 2, priority ponds – have ponds on site been assessed against the criteria within the UK Habitat Classification for priority ponds and if so, which of the criteria do they meet? Again, if these ponds are considered to be priority habitat, their loss should be avoided in line within planning policy BIO1.
- Table 2, bare ground – these are input into the metric as “artificial unvegetated, unsealed surface”, where a condition assessment is not applicable; however, table 2 includes a condition assessment of poor for this habitat. No amendment is required in the metric.
- Table 2 – hedgerow 18 appears to be missing from the table, though is included within the metric.
- Table 2 – hedgerow 22 is listed as a native hedgerow with trees within the table, but as a native hedgerow within the metric. This should be checked and amended, where appropriate.
- Table 2 – hedgerow 23 is listed as a native hedgerow within the table, but as a native hedgerow with trees within the metric. This should be checked and amended, where appropriate.
- The metric shows that there will be a loss of -4.71 watercourse units through the loss of ditches on site and culverting a section of the stream associated with the woodland habitat on site (discussed further above). It is appreciated that a similar length of bioswales is being created within the proposed site; however bioswales represent area habitats within the metric and therefore the trading rules are not satisfied. The applicant should seek off-site mitigation solutions to ensure a 10% net gain in watercourse units are achieved. The LPA may be able to agree payment of our tariff to offset this loss.
- Table 3, linear features – Is it proposed to enhance H7 to a good condition as this is not reflected within the metric?
- Table 3, linear features – the table suggests 25 new hedgerows will be created (H36 – H51); however, the metric indicates this is 20 and reference numbering differs from that in the table (some hedgerows also have references which would suggest they were tree lines). Can this be amended so that it is clear? The masterplan framework advises that where hedgerows are to be lost, these can be translocated and hedgerow translocation is suggested within the ecology chapter. The biodiversity offsetting report doesn’t indicate that this is proposed. Has this been explored as an option and if so, this needs to be indicated?
- Table 3, linear features – the table suggests nine new lines of trees will be created (TL1-TL9); however, the metric indicates this is 7. Can this be amended so that it is clear?
- Table 3, individual trees – it is set out that 4 of the 6 condition criteria are targeted and a good condition is anticipated; however, when referring to the relevant condition sheet passing 4 criteria would achieve moderate condition. Trees input into the on-site habitat creation tab have been set to achieve a condition of moderate, so no amendment is required in the metric.

- The Biodiversity Offsetting report indicates that due to loss of two priority ponds on site, there will be a loss of biodiversity units for this habitat type. As discussed, I am unable to view the habitat trading summary, but I presume the habitat trading rules have not been met due to the loss of high distinctiveness habitat in addition to loss of watercourse units. Consideration may need to be given to the creation of additional ponds to address this.

Biodiversity Metric - Commercial

- Within the on-site habitat baseline tab there is an area of other neutral grassland included. This is labelled as G7 within the user comments. When referring to the UK Habitat Plan included within the Biodiversity Offsetting report, G7 is located outside of the proposed commercial site boundary. This should be checked and amended, where necessary.
- Within the on-site hedge tab, H29 has been input as a native hedgerow with trees – associated with bank or ditch; however, within table 2 of the Biodiversity Offsetting report it is identified as a native hedgerow – associated with a bank or ditch. This should be checked and amendments made, where necessary.
- Individual trees proposed on site are set as rural trees within the metric. Only urban trees are included within table 3 of the biodiversity offsetting report. This doesn't have an impact on the metric; however, amendment to table 3 could be considered.

Landscape Masterplan (drawing number P11754-00-001-GIL-0100)

- The strategic landscaping proposed on site is considered to provide significant on-site net gains. We would therefore seek to secure this by a Section 106 agreement, with this given as an option to secure on-site gains within the government's Biodiversity Net Gain (BNG) guidance. A management and monitoring plan of habitats proposed would be a requirement of the Section 106, with this setting out management and monitoring over 30 years from the implementation of each phase of the landscaping. Monitoring of the landscaping would be undertaken periodically over the 30 years, with subsequent monitoring reports submitted to the LPA. We will charge a fee to review monitoring reports over this period, which will be set out within the Section 106 agreement. It is unclear who will be responsible for the implementation of the strategic landscaping; this information should be provided.
- Residential and commercial phases of development can be subject to a planning condition at reserved matters stage to provide an updated metric to demonstrate that the overall site is on track to achieving at least a 10% net gain. This can be provided alongside a management and monitoring plan covering the thirty-year period from the implementation of public green space on site. This will deal with flags regarding time to target condition within the metric for smaller areas of woodland proposed in association with phases of residential development, where time to target condition is 30 years.
- It is noted within the landscape masterplan that there are areas of species-rich grassland and traditional wildflower meadow, and both are classed as other neutral grassland of moderate condition in the habitat creation tab of the metric. Is management likely to differ for these two habitat types which might make the proposed habitat type within the metric difficult to achieve?

Barnsley West Biodiversity and Ecological Management Plan

- The management plan submitted has been produced by White Young Green in 2021, but the appendices listed within the Ecology Chapter includes a management plan produced by Wardell Armstrong in 2023. This document doesn't appear to have been submitted with the application. This should be submitted for review.

GCN eDNA Technical Note

- Can the results of the eDNA surveys from the lab please be included within the appendix of the GCN report for completeness, this will also confirm the lab used, as paragraph 2.5 states "approved laboratory".
- HSI calculations for all ponds subject to survey should be included within the report, alongside pond descriptions and photographs of all ponds so a thorough review can be undertaken; this should include those ponds and ditches scoped out of the assessment.
- Why were the wet ditches not subject to eDNA surveys?
- A copy of the White Young Green GCN report should be provided.
- Para 4.2 states that it is recommended that presence/absence surveys are repeated should there be a delay of 2 years to the onset of habitat clearance works associated with the scheme. It would be more practicable to suggest update eDNA surveys, in the first instance.

Otter and Water Vole Survey Report

- The plan within the otter and water vole report does not show ditch numbers, these need to be added to the plan.
- What length of ditch outside the red line boundary was surveyed for otter and water vole? There may be otter/water vole sites outside lying just outside the development area that may be indirectly impacted by the development, this should be considered.
- Were all areas of the channel accessible for surveys, within each ditch? If not, this should be included within the limitations so it is clear which sections were searched from the bankside and which from within the channel.
- Were all the ditch surveys undertaken on the same day, 15th May? This was a large area to cover in a relatively short space of time.
- Absence of evidence of foraging and commuting otter does not mean absence of the species. Were there any habitat features that could be used as a resting place e.g. if no potential for a holt, was there suitable habitat for lie-ups or couches?
- Only one water vole survey was undertaken. The water vole survey guidelines states that two should be completed. Justification needs to be included as to why only one survey was undertaken.
- The CEMP should include detailed mitigation to avoid any adverse impacts (direct and indirect) during site clearance, construction and the completed scheme.

Bat Survey Update Report

- Building 8 (B8) was only subject to two surveys, yet a small roost was located. Why was a third survey not undertaken?
- Hedgerows form an important feature for commuting bats, there will be a significant impact arising from the loss of hedgerows during the construction period which is likely to negatively impacts bats commuting to and from foraging and roosting sites. What mitigation has been included to offset this impact?

Breeding Bird Survey Report

- Have barn owl surveys been undertaken? If not surveys of the buildings at Redbrook should be undertaken to assess their potential to support barn owl.
- Impacts to birds during site clearance and construction are likely to be significant due to the removal of hedgerows which are a key feature within the site and support a variety of notable species.
- There will be significant impacts to ground nesting birds including skylark and lapwing from the proposal. Detailed mitigation should be provided to offset these losses this should include green roofs. A good example of this is the Sky garden developed at Pinewood studios (<https://www.sky-garden.co.uk/insights/sky-garden-wins-ecology-award-for-pinewood-studios/>). Mitigation for the loss of lapwing habitat could include improvement of nearby lapwing habitat of working with an organisation such as the Yorkshire Wildlife Trust to provide biodiversity offsetting. This is separate to any BNG offsetting that would be required and can be discussed with the LPA ecologist further.

Wintering Bird Survey Report

- The wintering birds surveys have not been undertaken in line with the survey guidance (Gillings et al. 2008). Paragraph 2.4.3. states the following “standard WBS methodology recommends that six surveys be carried out between October and March inclusive”. The data provided indicates that surveys have not been undertaken in December and January, key periods for wintering birds. The paragraph also states that this was due to timing of commission. This is not a valid justification for undertaking sub optimal surveys.
- Redwing a Schedule 1 bird were recorded in significant numbers suggesting the site is a valuable winter foraging ground for the species. This should be fully considered within the report and mitigation provided.
- The BBS and WBS have confirmed that the site is of value for birds especially ground nesting species such as skylark and lapwing, both of which a S41 Species of Principal Importance and both Red Listed species. As such, detailed mitigation is required to offset the loss of breeding and foraging habitat for these species, and other notable species such as meadow pipit within the site.

Aerial Tree Inspection Survey – Bats

- T23 was given high potential to support roosting bats and the climbing inspection found that the potential roosting features may hold around 20/30 individuals. This tree will be directly impacted to accommodate the

proposal, as such additional surveys are required in the active season to ascertain the presence/likely absence of a roost, as per the BCT guidelines, para 6.3.10/7.1.1.

Summary

The impact assessment set out within the Ecology Chapter indicates that the most significant impact on biodiversity as a result of the development will be upon breeding birds, particularly farmland and ground nesting species of conservation concern. Minimal mitigation has been suggested to address this and will need to be considered further, with suggestions made above.

Potential impact upon woodland habitat within the site also requires consideration. This habitat has been identified as representing ancient woodland and is therefore classed as irreplaceable. Culverting a section of the stream within the woodland and any loss of woodland habitat should be avoided as per the governments standing advice, MU1 site policy and planning policy BIO1 within the Local Plan.

It is also noted that the residual impact upon some ecological receptors has been downplayed. Although some appropriate mitigation measures have been set out, there is still likely to be a minor adverse impact by habitat loss and the time in which it takes for proposed landscaping to become established and through increased levels of disturbance. It is suggested that the assessment is reviewed for some ecological receptors to realistically reflect the impact of the proposals.

There is a significant loss of hedgerows on site, with all hedgerows identified as priority habitat and a number being identified as 'important' under the Hedgerow Regulations 1997. Whilst it is appreciated that all hedgerows cannot be realistically retained, there do appear to be a number of hedgerows/sections of hedgerow which are being removed unnecessarily, with these being located in proposed areas of green space. Consideration should be given to the retention of these hedgerows or robust justification given for their removal. Site policy requires the retention of hedgerows or translocation of hedgerows. The ecology chapters sets out that hedgerow translocation will be undertaken, within table 7.1; however, this doesn't appear to be detailed anywhere else. Further information as to whether hedgerow translocation is proposed should be provided.

The BNG assessment submitted with the application is largely satisfactory, with the entire site anticipated to deliver +28.17% gain in habitats and +27.49% gain in hedgerows and the commercial site alone anticipated to deliver a +22.33% net gain in habitats and +52.91% net gain in hedgerows. Appropriate habitats are proposed within the associated landscape masterplan, though further clarification is required regarding species-rich/meadow grassland proposed. The metrics provided consider the expected delay between site clearance works and implementation of landscaping on site and the metric takes this into account within the habitat units achieved. The metric records a loss in watercourse units (-28.61% loss overall and -71.46% for the commercial development). This will need to be addressed off-site if on-site solutions are not possible. Although the BNG assessment indicates that the masterplan framework requirement of a 10% net gain can largely be achieved, separate consideration for the impact upon birds, as detailed above, still needs to be addressed.

As discussed above, due to strategic landscaping providing significant on-site gains, this should be secured by a Section 106. Each phase of the residential development should submit an updated BNG assessment alongside a habitat management and monitoring plan to track the overall BNG offer and ensure a net gain in biodiversity of at least 10% is achieved. This can be secured by way of a planning condition.

Anticipated conditions at this stage, in addition to the above would include:

- CEMP setting out precautionary measures and pre-commencement surveys to be adopted/undertaken in relation to retained ecological features (i.e. woodland, hedgerows, trees, etc.), protected/priority species and invasive species.
- Sympathetic lighting scheme in the interest of foraging and commuting bats.
- Scheme indicating the installation of features for wildlife, such as bat and bird boxes on proposed buildings, habitat piles, hedgehog access through proposed fencing, etc.

More detail on the above will be provided as the application progresses.

Please don't hesitate to contact me if you have any queries.

Kind regards

[REDACTED]
Planning Ecologist
Planning Policy
Growth and Sustainability

[REDACTED]
Mail: PO Box, 634, Barnsley, S70 9GG



Barnsley – the place
of possibilities.



Council of
the year