



Ecological Impact Assessment

The Fountain Inn, Ingbirchworth **Conroy Brook Developments**

CRM.1298.003.EC.R.001



Contact Details:

Enzygo Ltd. (Bristol Office)
The Byre
Woodend Lane
Cromhall
Gloucestershire
GL12 8AA

tel: 01454 269237
email: derek.allan@enzygo.com
www: enzygo.com

Ecological Impact Assessment

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Author:	Chris Schofield MSc BSc (Hons) ACIEEM – Senior Ecologist
Reviewer:	Derek Allan MSc BSc (Hons) MCIEEM – Director of Ecology

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Registered Office: Gresham House, 5-7 St. Pauls Street, Leeds, England, LS1 2JG

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Non-Technical Summary

- i. In August 2020 Enzygo Ltd was commissioned by Conroy Brooks Developments (the client) to undertake an Ecological Impact Assessment (EclA) of land at The Fountain Inn, Wellthorne Road, Ingbirchworth, Barnsley S36 7GJ (central grid reference: SE 21727 06250), located within the Barnsley Metropolitan Borough Council (Penistone West Ward) planning authority. This study will inform a planning application for a residential development, including demolition of a former Public House.
- ii. The following key ecological features and associated recommendations have been identified:
 - **Bats** – (nocturnal presence/absence surveys have confirmed a likely absence of roosting bats at building to be demolished) – Precautionary measures to be adopted during demolition. No further survey necessary;
 - **Badger** – (no evidence of presence detected, however suitable habitat present and records in the surrounding area) – pre-commencement updated check recommended in addition to precautionary construction mitigation measures to minimise the risk of killing/injury of any Badger which stray into the construction site;
 - **Birds (general nesting)** - (trees, shrubs, scrub and existing building provide limited general nesting potential for a restricted range of bird species) – Site clearance and demolition to be conducted outside of the nesting season or if necessary within the nesting season an Ecological Clerk of Works (ECoW) to conduct nesting bird check immediately prior to commencement; and,
 - **Great Crested Newt, Common Reptiles & Priority Species** – (Trees, scrub, tall ruderal herb vegetation and grassland habitats provide limited extent of cover and foraging habitat for amphibians, common reptiles, small mammals and invertebrates) – Site clearance to be conducted in a sensitive manner under the supervision of an ECoW. No further survey necessary.
- iii. Proposals present opportunities for biodiversity enhancement in order to demonstrate an overall biodiversity net gain in accordance with national and local policies through providing diverse garden habitats, other landscape planting, bird and bat boxes and informal hibernacula.
- iv. This report has demonstrated that, if the outlined mitigation measures are implemented in full then no significant residual impact could be expected, and the proposed application will result in 'no net loss in biodiversity,' whilst also providing opportunities for 'biodiversity net gain' in accordance with NPPF and Local Planning Policy.

1.0 Introduction

1.1 Commission

1.1.1 In August 2020 Enzygo Ltd was commissioned by Conroy Brooks Developments (the client) to undertake an Ecological Impact Assessment (EclA) of land at The Fountain Inn, Wellthorne Road, Ingbirchworth, Barnsley S36 7GJ (central grid reference: SE 21727 06250), located within the Barnsley Metropolitan Borough Council (Penistone West Ward) planning authority. This study will inform a planning application for a residential development, including demolition of a former Public House.

1.1.2 *Note: Enzygo Ltd are not considered to act as a Principal Designer for any mitigation/enhancement strategies identified within this document in accordance with the Construction (Design and Management) Regulations 2015 (CITB, 2016).*

1.2 Proposed Development/Identification of Impacts

1.2.1 The study will inform an application for a residential development of 13 new properties with associated gardens and internal roads, and a new access created off Wellthorne Road to the south. The proposals would also require the demolition of the former Fountain Inn Public House which occupies central areas of the site as well as clearance of the majority of existing trees and other vegetation. Refer to Appendix A for a plan of the proposals.

1.2.2 This report identifies ecological features, and outlines potential impacts and effects, recommends proportionate avoidance/mitigation/compensation strategies, followed by enhancements. This information will advise the client on the potential constraints to proposals and inform the final site design. A corresponding zone of influence has been considered (this includes any transboundary effects regardless of administrative areas).

1.3 Aims and Objectives

1.3.1 The purpose of this report is to provide biodiversity information which succinctly identifies ecological features on site and within the corresponding zone of influence, identifies potential impacts resulting from the proposed application, associated effects to ecological features, recommends proportionate avoidance, mitigation and compensation strategies and enhancements that will be implemented in accordance with the British Standard for Biodiversity BS42020:2013 (BSI, 2013) to demonstrate 'no net loss in biodiversity' and a 'biodiversity net gain' in accordance with NPPF and Local Planning Policy.

1.3.2 This report has been produced with reference to current *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017a), *Guidelines for Ecological Impact Assessment in the UK and Ireland, Terrestrial, Freshwater, Coastal and Marine* (CIEEM, 2018) and *Guidelines for Ecological Report Writing* (CIEEM, 2017b), *Bat Surveys for Professional Ecologists Good Practice Guidelines* (Collins, 2016) and *British Standard BS42020:2013* (BSI, 2013).

1.4 Background/Acknowledgments

- 1.4.1 An application for the proposed residential development was submitted to Barnsley Metropolitan Borough Council in May 2020 (planning reference: 2020/0474). This application was not supported by any ecological survey or assessment information. Consultation comments were received in July 2020 from the Barnsley Council Ecologist which highlight the need for a survey and assessment to identify any valuable habitats and potential protected species impacts, with particular concern raised regarding potential impacts on roosting bats. It is also requested that the assessment demonstrates how 'no net loss of biodiversity' is to be achieved.
- 1.4.2 A search of the Barnsley Metropolitan Borough Council planning website has revealed several previous historic planning applications associated with the site, including a 2002 application for "*Erection of two-storey extension*" (planning reference B/02/0551/PR) and a 1997 application for "*Single-storey function room and bedrooms extension*" (planning reference B/96/1373/PR). None of these previous applications are supported by any available ecological survey or assessment information.
- 1.4.3 The search has identified applications in the immediate surrounding area, including a 2014 approved application on land immediately south of Wellthorne Lane for the "*Erection of 13 detached dwelling houses*" (planning reference 2014/0198). This application was supported by a 2014 Ecological Appraisal (Brooks Ecological, 2014) which included details of a desktop study and Phase I Habitat Survey. This assessment has been reviewed and information used to inform the appropriate section of this report. No other applications have been identified in the surrounding area with any previous ecological survey or assessment information pertinent to this report.
- 1.4.4 Other than the comments summarised above, it is our understanding that to date there has been no further correspondence with the County Ecologist or any statutory consultees i.e. Natural England, regarding this application. Additionally, we have not been informed of any Local Validation requirements i.e. biodiversity checklist for completion or specific standards for surveys.

1.5 Local Planning Policy

- 1.5.1 The following policies of the Barnsley Local Plan (Barnsley Council, 2019a) are relevant to nature conservation and this assessment (Policy details provided in summary only, refer to the Local Plan document for full details):
- **Policy GI1 Green Infrastructure** - *protect, maintain, enhance and create an integrated network of connected and multi- functional Green Infrastructure assets that enhance biodiversity and connectivity between green and blue spaces.*
 - **Policy GS1 Green Space** – *work with partners to improve green spaces of value to wildlife and biodiversity.*
 - **Policy BIO1 Biodiversity and Geodiversity** - *will conserve and enhance biodiversity features of the Borough by: protecting and improving habitats, species and sites of ecological value; maximising biodiversity opportunities at new developments; conserving and enhancing the form, local character and distinctiveness of natural assets including wildlife corridors; proposals and assessments following the national mitigation hierarchy; protecting ancient and veteran trees; and, encouraging provision of enhancements.*

- 1.5.2 There is also a recently adopted Biodiversity and Geodiversity Supplementary Planning Document (Barnsley Council, 2019b) which is of relevance to this assessment and supplements the Barnsley Local Plan in relation to biodiversity-related local policy.
- 1.5.3 It is confirmed this proposed development site does not have any specific site allocation within the Barnsley Local Plan Policies Map (Barnsley Council, 2019c).
- 1.5.4 Refer to Appendix D for relevant details of European and National Legislation, and National Planning Policy.

1.6 Site Context

- 1.6.1 The approximately 0.5ha site comprises a parcel of land associated with the former Fountain Inn, with the now vacant Hotel and Public House building, surrounding hardstanding former car parking, trees and ornamental planting, and an area of grassland, scrub and tall ruderal herb vegetation to the west.
- 1.6.2 The northern, eastern and western boundaries are demarcated by fencing, with an amenity grassland sports pitch and housing to the north, further residential housing to the east, and a footpath and a poultry farm to the west. The southern boundary is defined by Wellthorne Road with more residential housing beyond. The wider landscape to the north and west is characterised by open countryside and Ingbirchworth Reservoir, which lies 125m to the south-west, and by the residential housing of the village of Ingbirchworth to the east and south.
- 1.6.3 The site lies within the Yorkshire Southern Fringe National Character Area (Natural England, 2013) which is characterised as the *“mingling of predominantly ‘gritstone’ industrial towns and villages with the strong valley forms and pastoral agriculture of the Pennine foothills.”*

Figure 1 – Survey Area



Image courtesy of Google Image Pro 7.3.2.5491, [Grid Ref: SE 21727 06250]. Imagery date 15th May 2019. Image accessed 18th September 2020.

2.0 Methodology

2.1 Desk Study

2.1.1 Desk study details were obtained from the following sources on the associated dates to provide background on ecological features in the vicinity of the site. In each case the search included the site and the specified area beyond the site boundary based on the expected zone of influence. Candidate and potential designations are considered too as these are also legally protected. Records search for included:

- Statutory sites designated or classified under international conventions or European legislation within a 5km radius, statutory sites designated under national legislation (including Marine), existing EPS Licence applications, and Natural England Great Crested Newt Pond Survey records within a 2km radius, and Priority Habitat & Ancient Woodland Inventory within a 0.5km radius [Magic Map, 18th September 2020] (DEFRA, 2020);
- Tree Preservation Orders (TPOs) and Biodiversity Conservation Areas within the immediate zone of influence [Barnsley Council website, 18th September 2020]
- Waterbodies within a 0.5km radius (Online mapping sources including: Google Maps; Magic Map; and Ordnance Survey Street View, 18th September 2020); and
- Locally designated wildlife sites & any notified Local Biodiversity Action Plan (BAP) Habitats, Legally protected species, any Priority species (which includes: National Biodiversity Species, Local BAP Species, Species of conservation concern and Red Data Book (RDB) species, Birds of Conservation Concern (BOCC), nationally rare and nationally scarce species, and OSPAR Commission list of threatened/declining species) and Invasive species (listed under section 14 of Schedule 9 only) within a 2km radius, and any important hedgerows/veteran trees within the immediate zone of influence [Barnsley Biological Records Centre (SBRC), 25th August 2020 and South Yorkshire Bat Group (SYBG) Data, 24th August 2020].

2.1.2 The Data has been edited where relevant to prevent sensitive or confidential records being made public in accordance with Guidelines for Accessing and Using Biodiversity Data (CIEEM, 2016).

2.2 Field Survey

2.2.1 Field Surveys were undertaken on the following dates by the identified staff, all of whom satisfy necessary field survey competencies as stipulated by the Chartered Institute for Ecology and Environmental Management (CIEEM). Weather conditions on the day of survey have been included and where relevant survey/class licence numbers referred to.

Table 1 – Survey Dates and Conditions

Survey	Date	Staff/Licence	Environmental Conditions
Phase I Habitat Survey & Preliminary Bat Roost Assessment (external inspection)	25/08/2020	Chris Schofield ACIEEM MSc. BSc. (Hons) [Senior Ecologist at Enzygo]	Overcast and rainy (100% cloud cover), 15°C and a moderate breeze.

Survey	Date	Staff/Licence	Environmental Conditions
Preliminary Bat Roost Assessment (internal inspection)	15/09/2020	Chris Schofield ACIEEM MSc. BSc. (Hons) [Senior Ecologist at Enzygo] under the guidance of Derek Allan MCIEEM MSc BSc [Hons] (Director of Ecology at Enzygo and a licensed bat surveyor (Natural England licence Level 2, 2015-14659-CLS-CLS))	Dry and clear (10% cloud cover), 19°C and a light breeze.
Nocturnal Bat Presence/Absence Survey 1 (Dusk)	10/09/2020	Survey orchestrated by Derek Allan MCIEEM MSc BSc [Hons] (Director of Ecology at Enzygo and a licensed bat surveyor (Natural England licence Level 2, 2015-14659-CLS-CLS)), with field surveyors: 1) Chris Schofield MSc BSc (Hons) ACIEEM (iPad with Echo Meter Touch 2 Pro) 2) Richard Lowe BSc (Hons) (Pettersson D100 with Tascam DR-05 Audio Recorder) 3) Joe Cooper BSc (Hons) (iPhone with Echo Meter Touch 2 Pro) 4) Jordan Prendergast BSc (Hons) (iPhone with Echo Meter Touch 2 Pro)	Sunset Time: 19:33 Survey Start: 19:20 Survey Finish: 20:55 Dry and overcast, (100% cloud cover), and 14°C with a light wind.
Nocturnal Bat Presence/Absence Survey 2 (Dawn)	23/09/2020	Survey orchestrated by Derek Allan MCIEEM MSc BSc [Hons] (Director of Ecology at Enzygo and a licensed bat surveyor (Natural England licence Level 2, 2015-14659-CLS-CLS)), with field surveyors: 1) Chris Schofield MSc BSc (Hons) ACIEEM (iPad with Echo Meter Touch 2 Pro) 2) Richard Lowe BSc (Hons) (Pettersson D100 with Tascam DR-05 Audio Recorder) 3) Joe Cooper BSc (Hons) (iPhone with Echo Meter Touch 2 Pro) 4) Jordan Prendergast BSc (Hons) (iPhone with Echo Meter Touch 2 Pro)	Sunrise Time: 06:55 Survey Start: 05:25 Survey Finish: 07:10 Dry and overcast, (100% cloud cover), and 12°C with a light wind.

Preliminary Ecological Appraisal

2.2.2 In accordance with Guidelines for Preliminary Ecological Appraisal 2nd Edition (CIEEM, 2017a) the Preliminary Ecological Appraisal (PEA) survey included the following.

Mapping of Habitat Types

2.2.3 Phase I Habitat Survey (JNCC, 2010) is the most recognised published method of habitat classification. It has been used to categorise & map the main vegetation types present within the survey area using a standard set of habitat categories. Each of the main habitats has been described; including details of component plant species abundances (recorded using the DAFOR scale: D=Dominant, A=Abundant, F=Frequent, O=Occasional, R=Rare). Additionally, any stands of non-native invasive plant species were recorded. Habitat extents have been visually mapped onto a topographic plan, with approximate location/areas recorded only (a GPS unit has not been utilised to accurately recorded these).

Assessment of possible presence/likely importance for Protected & Priority Species

2.2.4 An assessment of the possible presence of protected or priority species, and the likely importance of habitat features present for such species has also been undertaken, particularly where uncommon or specialised habitats are present in accordance with current PEA guidelines

(CIEEM, 2017a). However, no specific protected species survey has been undertaken unless listed under additional surveys as below. Any incidental sightings of protected or priority species, or field signs of such species has also been recorded. Species assessed include: Plants & Fungi; Terrestrial/aquatic invertebrates; Fish; Amphibians; Reptiles; Breeding, wintering and migratory birds; Bats (including potential roost sites, foraging and commuting habitats/features), Badger, and Other mammal species.

Preliminary Bat Roost Assessment

Preliminary Daylight Roost Assessment of Buildings

2.2.5 In accordance with current guidance (Collins, 2016), a systematic thorough search of the exterior and interior of the existing building was undertaken. This included any roof spaces, cellars, and unoccupied rooms. Equipment used to aid the survey included: ladders, low/high-powered torches and binoculars. Crawl boards and specialised PPE for confined spaces/asbestos were not utilised. Notes were made on the following:

- Type, construction and age of building (particularly if traditional materials have been used or the presence of specialist bat roosting features);
- Presence/absence of potential roost features throughout the interior (i.e. uncluttered isolated roof voids, warm and dark undisturbed spaces, gaps around ridge beams, exposed beam joints, gaps within traditional bituminous felt/wooden sarking boarding etc);
- Presence/absence of potential roost features throughout the exterior (i.e. raised ridge tiles, hanging tiles, raised/missing tiles or lead flashing that would allow access beneath roofing structures, crevices behind soffit boxing/barge boarding/ship-lap boarding, gaps around window frames and doors, boarded up windows, gaps within mortar or brickwork, access into wall cavities etc);
- Presence/absence of potential hibernation features (i.e. underground spaces or rooms that would provide an isolated stable temperature and moist conditions during the winter period etc);
- Environmental factors that would increase the probability of bat presence (i.e. dark zones with no/limited exterior lighting, south/west facing aspects, good quality foraging/commuting habitat nearby particularly prominent linear features) and those that would decrease the probability of bat presence (high light levels, dense urban areas, recent works, modern Breathable Roofing Membranes (BRMs) or other modern tight fitting roofing materials, recent timber treatment or pest control, ultrasonic rodent deterrents, draughty/exposed conditions, high levels of noise or vibration or human disturbance, poor quality foraging/commuting habitat etc); and
- Type and location of any roosting bat evidence (i.e. presence of live or dead bats, audible squeaking, droppings, feeding remains, urine stains, grease marks etc).

Scoping (non-specialist) survey for roosts: individual trees and groups of trees

2.2.6 With reference to current survey guidelines BS8596:2015 (BSI, 2015), a scoping (non-specialist) survey for roosts of individual trees and groups of trees within and immediately adjacent to the site, was undertaken. Each tree was visually inspected from the ground (with the aid of binoculars and a high-powered torch) to identify Potential Roosting Features (PRFs), including checks for the presence of the following features that bats might be able to use:

- Natural holes (e.g. knot holes) arising from naturally shed branches, or branches previously pruned back to the branch collar;
- Man-made holes (e.g. cavities that have developed from flush cuts) or cavities created by branches tearing out from parent stems;
- Woodpecker holes;
- Cracks/splits in stems or branches (both vertical and horizontal);
- Partially detached or loose, platy bark;
- Cankers (caused by localised bark death) in which cavities have developed;
- Other hollows or cavities, including butt rots;
- Compression forks with included bark, forming potential cavities;
- Crossing stems or branches with suitable space between for roosting;
- Ivy stems with diameters in excess of 50mm with suitable roosting space behind (or where a roosting space can be seen where a mat of thinner stems has left a gap between the mat and the trunk);
- Bird and Bat boxes on trees; or
- Other features that offer a place of shelter.

Nocturnal Bat Presence/Absence Surveys

2.2.7 Where buildings or structures are found to contain features with the potential to support roosting bats during a Preliminary Bat Roost Assessment or a roost is identified, the building or structure is subject to emergence/re-entry surveys in accordance with current guidelines (Collins, 2016) to determine the presence/absence of roosting bats and to obtain sufficient information in support of an EPS Licence application for submission to Natural England where roosts are identified. Refer to Table 1, above, for survey dates and conditions.

2.2.8 In accordance with current guidance (Collins, 2016) based on the above assessment, buildings and structures should be subject to the following level of survey, although this is also subject to review by the ecologist:

- *Known or confirmed roost* – Survey effort to be decided by ecologist, but sufficient information should be obtained to satisfy Natural England requirements in support of EPS Licence (should determine species/roost status/time of year when in use, which part of the structure bats utilise/likely egress points/environmental conditions etc);
- *High Suitability* – Three separate survey visits. At least one dusk emergence and a separate dawn re-entry survey. The third visit could be either dusk or dawn;
- *Moderate Suitability* – Two separate survey visits. One dusk emergence and a separate dawn re-entry survey;
- *Low Suitability* – One survey visit. One dusk emergence or dawn re-entry survey; and
- *Negligible Suitability* – No further survey.

- 2.2.9 As the Preliminary Bat Roost Assessment assessed the existing building as of *Moderate suitability*, two separate nocturnal surveys were undertaken at the appropriate time of year and under suitable weather conditions, comprising one dusk survey and one dawn survey. In addition, as recommended by Collins (2016) the surveys were spaced two weeks apart.
- 2.2.10 Each of the nocturnal surveys were undertaken by four experienced surveyors who satisfy all necessary field competencies as stipulated by CIEEM. Surveyors were strategically positioned around the exterior of the building to adequately cover all potential egress points. Refer to Drawings CRM.1298.003.D.002a and .002b for the locations of surveyors and illustration of the survey results.
- 2.2.11 As recommended by current guidance (Collins, 2016) the dusk emergence survey commenced 15 minutes before and finished at least 1.5 hours after sunset, whereas the dawn re-entry survey commenced at least 1.5 hours before, and finished at least 15 minutes after, sunrise.
- 2.2.12 During the survey, the surveyors recorded the time, location, species, and behaviour (i.e. emergence, foraging, commuting or swarming) of each bat pass. Additional factors, such as, the number of bats, flight height, bat appearance and relative speed, were recorded where observed. Incidental observation of bats throughout surrounding habitats were also recorded, although no specific bat activity survey was undertaken.
- 2.2.13 No additional capture methods, such as hand nets, and no further complementary surveys methods, such as Infra-Red cameras, were used.

2.3 Assessment

Assessment of Suitability of Features for Roosting Bats

- 2.3.1 Based on the findings of the preliminary bat roost assessment survey, each building has been classified into one of the following categories in accordance with current guidance (Collins, 2016). The assessment is made irrespective of species conservation status, which is established after presence is confirmed/following further surveys:
- Known or confirmed roost – Structure with evidence of bat use or bat presence;
 - High Suitability – A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat;
 - Medium Suitability – A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status;
 - Low Suitability – A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions, and/or suitable surrounding habitat to be used on a regular basis or by large numbers of bats (i.e. unlikely to be suitable for maternity or hibernation); or
 - Negligible Suitability – Negligible features likely to be used by roosting bats.
- 2.3.2 Following the preliminary assessment of trees, based on the signs present, each tree was classified as one of the following categories in accordance with current guidance BS8596:2015 (BSI, 2015):

- Known or confirmed roost – Trees with evidence of bat use or bat presence;
- High/medium risk – Trees with a suitable PRF, or with several features with some bat roost potential;
- Low risk – Trees of sufficient size and age to contain bat roosts but with no obvious PRFs seen during the scoping survey, or features seen with limited roosting potential only, e.g. small amounts of ivy; or
- Negligible/no risk – Trees with apparently no potential to support bats.

Assessment of Potential Development Impacts

- 2.3.3 A level of importance has been assigned to each ecological feature, where sufficient baseline data is available to do so, in accordance with current guidance (CIEEM, 2018). This is defined within a geographical context as follows: International and European; National; Regional; Metropolitan, County, vice-county or other local authority-wide area; River Basin District; Estuarine system/Coastal cell; and Local (plus Negligible where no associated value has been identified). For example, importance of designated sites reflects the geographical context of the designation (where designated sites no longer meet designation criteria and those formally 'de-notified' OR where an undesignated site meets published selection criteria must also be considered). When considering habitats and species contextual information about distribution and abundance of that habitat/species in the area must be considered (if the habitat/species status is currently in a degraded or unfavourable condition its potential value should be considered).
- 2.3.4 The assessment then considers potential impacts (both positive and negative) generated during the construction and operational phase of the proposed application. Only impacts that are likely to be significant are considered. Impacts that are either unlikely to occur, or if they did occur are unlikely to be significant, are not considered.
- 2.3.5 Cumulative impacts are then considered where the application meets criteria in accordance with national EIA screening guidance (GOV.UK, 2019), and where agreed with the competent authority during scoping. This takes into consideration existing background levels of threat or pressure, looks at critical thresholds, and assess both additive/incremental and associated/connected impacts and effects.
- 2.3.6 Relevant aspects of ecological structure and function are then considered when determining if identified impacts will have a significant effect upon ecological features. Where necessary, this assessment utilises information from other specialists i.e. air quality, hydrology etc, to determine the level of impact. In accordance with current guidance (CIEEM, 2018) these are described using the following characteristics, where relevant: positive or negative; extent; magnitude; duration; frequency and timing; and reversibility.
- 2.3.7 The mitigation hierarchy is then explored in accordance with BS42020:2013 (BSI, 2013). This seeks as a preference to avoid impacts, then to mitigate unavoidable impacts, and as a last resort, to compensate for unavoidable residual impacts that remain after avoidance and mitigation measures. Justification has been provided by the client/their planner where the mitigation hierarchy cannot be followed, or for example where compensation is a preferred approach where the competent authority has adopted a County wide strategy i.e. District Level Licensing Schemes (GOV.UK, 2019). In this instance current national Biodiversity Offsetting guidance has also been consulted (GOV.UK, 2019). Additional information has also been provided by the client/their planner where the applicant wishes to demonstrate exceptional

circumstances or where they wish to pursue alternative strategies. Any residual impacts following mitigation measures etc are then identified.

- 2.3.8 All mitigation measures follow species specific current best practice guidance and the source has been identified accordingly. Deviation from guidance has been explained by the ecologist and is proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed works.
- 2.3.9 It is important that planning decisions are based on up-to-date ecological data, and the specific timeframe over which survey data is considered valid follows general advice (CIEEM, 2019). Additionally, it should be noted that the presence/absence and status of protected species can change seasonally/annually. The age of data should also be assessed separately when considering the submission of an EPS Licence (i.e. Natural England may require data to be from the current season).
- 2.3.10 Local Environmental Records Centres (LERC) issue a licence for use of provided biodiversity data for 1 year only, after which time this should be renewed to validate an application (and reports updated accordingly to incorporate any new records). Following completion of surveys all relevant biodiversity data will be submitted to the relevant LERC and other groups as appropriate.

2.4 Limitations

- 2.4.1 Data held by consultees may not be exhaustive; the absence of evidence does not indicate evidence of absence. Enzygo cannot take responsibility for the accuracy of external data sources and as such discrepancies and inaccuracies may occur.
- 2.4.2 Natural England do not hold information of Ancient Woodland less than 2ha in size.
- 2.4.3 Records over 10 years old for transient species (as these are likely to have moved during the interim) and species protected from sale only under the W&C Act 1981 and amendments, are excluded (as these are not relevant to a planning application). Additionally, given the large number of priority species, these have only been included if identified from the desk study and/or habitats recorded on site have been assessed as providing suitable conditions.
- 2.4.4 Geological sites have only been included within this report where they have biodiversity or nature conservation components to their designation.
- 2.4.5 At certain times of year flora species may be in a state of senescence and are not readily identifiable. However, August represents a favourable time of year to identify the majority of flora species and it was possible to easily classify the commonly occurring habitat types.
- 2.4.6 This document does not contain a comprehensive list of botanical species on site. Only plant species characteristic of each habitat and incidental observations of notable plant species were recorded.
- 2.4.7 BBRC and Barnsley Council do not supply information on Important Hedgerows or Veteran Trees
- 2.4.8 All areas of the site, including all internal areas of the existing buildings, were fully accessible during the surveys; no access limitations were experienced.
- 2.4.9 The guidance in relation to bat surveys (Collins, 2016) recommends that where buildings/structures are assessed as of *Moderate* bat roost suitability, at least one of the further nocturnal surveys should be completed within the maternity period from May to August. It is recognised in this instance that both nocturnal surveys have been completed in September, and

so have not covered this typical maternity period. Due to the absence of evidence of roosting bats detected both during the nocturnal surveys and the detailed internal inspection, and the absence of any high suitability features suitable for maternity roosts, it is not considered this timing of surveys represents a significant survey limitation.

2.4.10 During the preliminary bat roost assessment, the buildings were only assessed from ground-level using binoculars and a high-powered torch; no survey at height or use of an endoscope was undertaken.

2.4.11 Once light levels drop below a given point it is possible to miss bats emerging from egress points. While every effort is made to detect emerging bats, it cannot be guaranteed that all emerging bats will be detected.

2.4.12 It should be noted that Long-eared Bats in particular echolocate more quietly, and Horseshoe Bat species in particular echolocate more directionally, compared to other bat species and so can sometimes be more difficult to detect and often go unrecorded. Species from the *Myotis* and *Nyctalus* genera are notoriously difficult to distinguish in the field and from recorded sonograms, as there is considerable overlap in their range of echolocation frequencies. Where the species cannot be determined only the genus is stated.

2.4.13 Sufficient surveyors were utilised to observe all aspects of the building and the surveys were conducted at a suitable time of year and under suitable survey conditions; no significant survey limitations were experienced.

3.0 Baseline Ecological Conditions

3.1.1 Ecological features identified by the desk study/field survey are presented below, along with their details and associated ecological value. Refer to Drawings CRM.1298.003.EC.D.001 & .002 for the location/extent of ecological features where relevant.

Table 3 – Ecological Features

Ecological Feature	Details	Ecological Importance
Statutory sites designated or classified under international conventions or European legislation		
None	-	-
Statutory sites designated under national legislation (& Impact Risk Zones)		
SSSI Impact Risk Zone (IRZ)	The Impact Risk Zone (IRZ) in which the site lies states the LPA should consult Natural England on the likely impacts of the following development categories: - Airports, helipads and other aviation proposals; - Oil & gas exploration/extraction; - Livestock & poultry units with floorspace > 500m², slurry lagoons > 750m² & manure stores > 3500t; and, - General combustion processes >50MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion.	N/A Proposals do not meet the development criteria for which LPA should consult Natural England.
Local Nature Reserves		
None	-	-
Other Locally designated wildlife sites		
Ingbirchworth Reservoir LWS 70m South-west	Site supports a large open water reservoir and associated marginal and bankside habitats.	County
Scout Dyke Reservoir LWS 1.1km South-east	Site supports a large open water reservoir and associated marginal and bankside habitats, which include areas of good quality semi-improved grassland, and Lowland Mixed Deciduous Woodland Priority Habitat.	County
Royd Moor Reservoir LWS 1.1km South	Site supports a large open water reservoir and associated marginal and bankside habitats, which includes areas of Lowland Mixed Deciduous Woodland Priority Habitat.	County
Gunthwaite Dam and Clough Wood LWS 1.5km East	Site supports Ancient & Semi-Natural Woodland which is also Lowland Mixed Deciduous Woodland Priority Habitat.	County

Ecological Feature	Details	Ecological Importance
Broadstone Reservoir LWS 1.6km West	Site supports a large open water reservoir and associated marginal and bankside habitats.	County
England HPI, Local BAP Habitats, Ancient Woodland, Important Hedgerows, Veteran Trees, TPOs and Conservation Areas		
None	No Priority Habitats, areas of Ancient Woodland, biodiversity-related Conservation Areas within a 500m radius. The closest Tree Preservation Orders (TPO) lies 105m to the south (Barnsley Council reference 5-W1).	-
Green/Blue & Aquatic Infrastructure, Dark Zones, and Local Policy		
Green Infrastructure	The scattered trees, shrubs and ornamental planting within the site do not provide any notable connectivity between habitats or significant wildlife corridor function. No significant connection to, or habitats complementing, the nearby Ingbirchworth Reservoir LWS to the south-west.	N/A
Blue Infrastructure	No waterbodies or watercourses are present within the site boundary or within the potential zone of influence. No known hydrological connectivity between the site and any watercourses or waterbodies in the wider area (including Ingbirchworth Reservoir).	N/A
Dark Zones	There are no known dark zones across the site. In accordance with the standard guidance specified in the <i>Guidance Notes for Reduction of Obtrusive Lighting</i> (Institution of Lighting Professionals, 2020), the application site likely falls under Environmental Zone E2 Rural (Low district brightness).	N/A

Habitat Types		
Buildings (J3.6) 	The site supports the former Fountain Inn Public House and Hotel which is now no longer in current use. This represents a single large building with both two-storey and single-storey sections, has a brick and mortar construction and whitewashed walls throughout. The building supports a complex roof with both pitched tiled sections and other areas with flat roofs. There is also a small timber shed at the north-west corner of the site which is used to store gardening equipment. Further description of the buildings and assessment in relation to roosting bats is presented at Appendix B. Other than some dense Ivy (<i>Hedera helix</i>) growing up the east elevation of the rear hotel section of the building, there is no significant vegetation assemblage associated with the building. This does not represent UK BAP or Local BAP Habitat.	Negligible
Bare Ground (J4) 	Surrounding the former Fountain Inn building are areas of former car parking, access roads and walkways comprising hard stand bare ground habitat. Although predominantly devoid of vegetation, there are areas at gaps and the edges of the habitat which are becoming sparsely colonised by vegetation likely as a result of the recent reduction in disturbance and use. This vegetation has <1% cover of the habitat and is characterised by occasional Annual Meadow-grass (<i>Poa annua</i>), Yorkshire fog (<i>Holcus lanatus</i>), Dandelion (<i>Taraxacum officinale</i> agg.), Common Ragwort (<i>Senecio jacobaea</i>) and Autumn Hawkbit (<i>Scorzoneroide autumnalis</i>). This habitat does not represent any UK or Local BAP Priority Habitat. It is confirmed the conditions do not meet the criteria of Open Mosaic Habitat on Previously Developed Land Priority Habitat with no range of early colonising and successional habitats, no loose bare substrate, no variation in topography and no pools.	Negligible

Introduced Shrub (J1.4) 	Several areas at the site support introduced ornamental shrub planting which is now unmanaged, including at the northern boundary and the south-east boundary adjacent to Wellthorne Lane. This ornamental planting is characterised by abundant Cherry Laurel (<i>Prunus laurocerasus</i>), frequent Firethorn (<i>Pyracantha</i> sp.) and occasional Snowberry (<i>Symphoricarpos albus</i>), <i>Photinia</i> sp., Cypress (<i>Cupressus</i> sp.), <i>Hypericum</i> sp., <i>Skimmia japonica</i>, and <i>Cotoneaster</i> sp. These areas also support frequent Bramble (<i>Rubus fruticosus</i> agg.) and Ivy, with occasional <i>Buddleja</i> (<i>Buddleja davidii</i>). These habitats do not represent UK BAP or Local BAP Habitat.	Negligible
Poor Semi-improved Grassland (B6) 	The western part of the site supports and an area of species-poor neutral grassland, which appears to have previously been amenity grassland associated with the Public House and Hotel. This grassland is now unmanaged and is characterised by abundant Yorkshire-fog, Common Bent (<i>Agrostis capillaris</i>) and Cock's-foot (<i>Dactylis glomerata</i>), with frequent Perennial Rye-grass (<i>Lolium perenne</i>), Creeping Buttercup (<i>Ranunculus repens</i>) and Bramble, and occasional False Oat-grass (<i>Arrhenatherum elatius</i>), Crested Dog'-tail (<i>Cynosurus cristatus</i>), Dandelion, Broad-leaved Dock (<i>Rumex obtusifolius</i>), Common Nettle (<i>Urtica dioica</i>), Ribwort Plantain (<i>Plantago lanceolata</i>), Red Clover (<i>Trifolium pratense</i>), Common Knapweed (<i>Centaurea nigra</i>), Creeping Thistle (<i>Cirsium arvense</i>) and Common Vetch (<i>Vicia sativa</i>). These habitats do not represent UK BAP or Local BAP Habitat. No rare species or indicators of any uncommon or species-rich grassland types, although the lack of recent management has likely allowed a more diverse sward to develop than was previously present.	Negligible

Tall Ruderal Herb Vegetation (C3.1) 	At the west of the site and a small area in the northern part of the site support areas which are dominated by species-poor unmanaged tall ruderal herb vegetation. These areas are characterised by abundant Common Nettle, Rosebay Willowherb (<i>Chamerion angustifolium</i>) and Bramble, with frequent Broad-leaved Dock, Common Ragwort, Creeping Thistle, Cleavers (<i>Galium aparine</i>), Cock's-foot, False Oat-grass and Yorkshire-fog. This habitat does not represent any UK BAP or Local BAP Habitat.	Negligible
Scattered Trees (A3.1) 	This western part of the site also supports abundant young to semi-mature ornamentally planted Cherry species (<i>Prunus</i> sp.) and occasional Rowan (<i>Sorbus aucuparia</i>). There are further scattered young trees to the immediate west of the Fountain Inn building comprising Cherry, Maple (<i>Acer</i> sp.) and Alder (<i>Alnus glutinosa</i>), and semi-mature occasional Ash (<i>Fraxinus excelsior</i>), Alder, Rowan and Crack Willow (<i>Salix fragilis</i>) at the north of the site to the rear of the Fountain Inn building. There is also a row of more mature broadleaf trees at the northern boundary of the former car park at the east of the site which comprise frequent Sycamore (<i>Acer pseudoplatanus</i>) and Goat Willow (<i>Salix caprea</i>). None of these scattered trees represent or form part of any UK or Local BAP habitat.	Negligible

Dense Scrub (A2.1) and Scattered Scrub (A2.2) 	At the western and northern boundaries are some localised areas of unmanaged dense species-poor scrub vegetation which is characterised by dominant Bramble, with occasional Common Nettle, Rosebay Willowherb, Creeping Thistle, False Oat-grass, Cock's-foot, and occasional young saplings of Cherry and Ash. These areas do not represent or contribute to any UK BAP or Local BAP habitat.	Negligible
Fence (J2.4) and Wall (J2.5) 	The western boundary and the western section of the northern boundary are demarcated by low timber post and rail fencing, whereas the eastern boundary and the east part of the northern boundary are defined by timber close board garden boundary fencing. There are also two sections of low brick and mortar wall at the south-east boundary facing onto Wellthorne Lane. No significant vegetation assemblages are associated with these features. Wall and fence are not a UK BAP or Local BAP Habitat.	Negligible
Legally Protected & Priority Species (& Consultation Zones where applicable)		
Bats	Although no evidence of roosting bats was detected anywhere at the site, the former Fountain Inn building was assessed as providing <i>Moderate</i> suitability roosting potential during the preliminary roost assessment in accordance with current guidance (Collins, 2016). The building is in reasonably good condition, with no high suitability potential roosting features present, however, there are several features such as loose and lifted roofing and ridge tiles, missing motor at the edges of roof tiles, and some gaps associated with lead flashing, which provide lower suitability opportunities for roosting bats. Nocturnal bat surveys confirm a likely absence of roosting bats at the building. No emergence or re-entry activity was observed. Incidental relatively low levels of Common Pipistrelle (<i>Pipistrellus pipistrellus</i>) and Soprano Pipistrelle (<i>Pipistrellus pygmaeus</i>) foraging activity were noted at the site, with individual records of Noctule (<i>Nyctalus noctula</i>)	Local (i.e. potential for individual numbers of common species)

	and <i>Myotis</i> species. Refer to Appendix C and the appended Drawings CRM.1298.003.EC.D.002a and .002b for survey results. The presence of roosting bats at the building to be demolished is reasonably discounted, and no further survey is necessary to inform this assessment. In addition, all trees are assessed as providing <i>Negligible</i> suitability roosting habitat (Collins, 2016) with no features observed with potential to support roosting bats, and the small timber shed at the north-west of the site is also confirmed as entirely unsuitable for roosting bats. Considering the size of the site, the habitats present and the immediate surrounding landscape, the site is assessed to provide a limited extent of <i>Low</i> suitability bat foraging habitat (Collins, 2016), with the suitability reduced due to high artificial lighting levels, the relative isolation of the site within the landscape and absence of any high value foraging features (such as waterbodies, mature hedgerow or woodland). The wider landscape, notably to the south-west associated with Ingbirchworth Reservoir is noted as likely providing high valuable foraging and commuting bat habitat. The BBRC and South Yorkshire Bat Group data search has revealed records within a 2km radius of individual numbers of Common Pipistrelle, Pipistrelle Species (<i>Pipistrellus</i> sp.), Noctule, Leisler's Bat (<i>Nyctalus leisleri</i>) and unidentified bat species. The closest records are of foraging Common Pipistrelle and Leisler's Bat 775m to the south-east recorded in 2019. No records of any previous EPS licences within a 2km radius.	
Badger	No evidence of Badger detected during the Phase I Habitat Survey. Although the building and extensive bare ground habitats are entirely unsuitable for badger, the trees, scrub and tall ruderal herb vegetation at the west of the site does provide suitable shelter and sett creation opportunities with some limited foraging opportunities also provided by the grassland areas. The records search has revealed eight records of Badger within a 2km radius, with the closest record over 500m to the west, but which indicate Badger are present in the local area. As a result, precautionary approach to Badger is to be adopted during the construction phase.	Local
Dormouse	No opportunities for Dormouse with no mature native hedgerow or woodland copses present, and the site is located in an area of the country where this species is significantly rare if not extinct. No records of Dormouse revealed by the data search.	Negligible
Otter and Water Vole	No watercourses or waterbodies present within or immediately adjacent to the site providing any opportunities for Otter or Water Vole. No records of Otter or Water Vole within a 2km radius in the last 10 years, but historic record of Water Vole and Otter presence at Ingbirchworth Reservoir to the south-west, including a record of Otter roadkill 125m to the south-west from 2004. It is not considered there are any habitats likely to attract Otter (or Water Vole) to the site from Ingbirchworth Reservoir.	Negligible
Other Protected Mammals	No evidence of, or specific opportunities for, any other species of protected mammal, and no records of any other protected mammal species revealed by the data search.	Negligible

Specially Protected Birds	No evidence of, or specific opportunities for, any specially protected bird species within the site. For example, no potential nesting/roosting opportunities at the building or trees suitable for Barn Owl, and the limited extent of unmanaged grassland enclosed by roads, trees and footpaths, does not provide any extent of suitable foraging habitat. The records search has revealed records of 17 Schedule 1 species within a 2km radius which are predominantly associated with Ingbirchworth Reservoir to the south-west, the open farmland to the west of this waterbody, and Royd Moor Reservoir 1.3km to the south. The closest records are of Brambling (<i>Fringilla montifringilla</i>) and Whimbrel (<i>Numenius phaeopus</i>) recorded 200m to the west as recently as 2019. There are no specific opportunities for these species within the site.	Negligible
Breeding, Wintering and Migratory Birds	The trees, shrubs, scrub, ornamental planting and building provide a limited extent of suitable nesting habitat for a restricted range of common bird species likely to be present in the area. Due to enclosed and overlooked nature of the site, opportunities for ground-nesting species such as Skylark (<i>Alauda arvensis</i>) and Lapwing (<i>Vanellus vanellus</i>) are reasonably discounted. The local data centre holds records within a 2km radius of ten Priority Species of bird comprising Common Scoter (<i>Melanitta nigra</i>), Curlew (<i>Numenius arquata</i>), Grey Partridge (<i>Perdix perdix</i>), House Sparrow, Lapwing (<i>Vanellus vanellus</i>), Reed Bunting (<i>Emberiza schoeniclus</i>), Spotted Flycatcher (<i>Muscicapa striata</i>), Tree Pipit (<i>Anthus trivialis</i>), Tree Sparrow (<i>Passer montanus</i>) and Yellowhammer (<i>Emberiza citrinella</i>). The closest record is of Yellowhammer 100m to the west recorded in 2016.	Local importance to a restricted range of common bird species.
Common Reptiles	The predominantly building and bare ground habitats provide no opportunities for common reptiles, however, a significantly limited extent of suitable foraging, basking and refuge habitat is provide by the vegetation at the west of the site and the areas of ornamental planting. Habitats to the immediate north (amenity sports pitch), east and south (residential) provide negligible opportunities for common reptiles, and there are no records of any reptiles within a 2km radius. However, it is possible individual numbers of common reptiles, such as Slow-worm (<i>Anguis fragilis</i>), have dispersed to the site from the habitats associated with the Reservoir to the south-west. Considering the previous use of the site, and surrounding habitats, it is considered significantly unlikely any more than individual numbers of reptiles may have colonised the site. As a result, a precautionary approach is to be adopted during the construction period.	Local
Great Crested Newt	No waterbodies providing any potential for breeding Great Crested Newt within or immediately adjacent to the site. Aerial images and OS maps indicate a single pond within an unobstructed 500m radius of the site, located 190m to the north-west at the centre of an arable field. The only other waterbody within a 500m radius is Ingbirchworth Reservoir at which the presence of GCN can be reasonably discounted due to its unsuitability large size and the likely abundance of predatory fish preventing the establishment of any successful GCN population. The records search has identified two records of GCN within a 2km radius, both located at a pond to the south-west of Royd Moor Reservoir 1.6km to the south. There are no previous EPS licence applications within a 2km radius.	Local

	The predominantly building and bare ground habitats within the site provide no opportunities for GCN, however, the grassland, scrub and tall herb vegetation areas do provide a limited extent of suitable foraging and refuge habitat for terrestrial GCN. There are no habitats to the east or south of the site to which any GCN from the pond to the north-west may be trying to disperse to across the proposed development site. Based on the distance between the site and the single pond to the north-west (190m), and the size of the site, a Natural England Rapid Risk Assessment has been completed to indicate the likelihood of an offence being committed in respect of the protection afforded to GCN. This Rapid Risk Assessment is presented below, and assumes GCN presence in the pond, and does not account for dispersal limitations (such as the extensive arable and amenity grassland which lie between the site and pond which are unfavourable for GCN movements). <table border="1" data-bbox="636 488 1870 887"> <thead> <tr> <th>Component</th><th>Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)</th><th>Notional offence probability score</th></tr> </thead> <tbody> <tr> <td>Great crested newt breeding pond(s)</td><td>No effect</td><td>0</td></tr> <tr> <td>Land within 100m of any breeding pond(s)</td><td>No effect</td><td>0</td></tr> <tr> <td>Land 100-250m from any breeding pond(s)</td><td>0.1 - 0.5 ha lost or damaged</td><td>0.1</td></tr> <tr> <td>Land >250m from any breeding pond(s)</td><td>0.1 - 0.5 ha lost or damaged</td><td>0.005</td></tr> <tr> <td>Individual great crested newts</td><td>No effect</td><td>0</td></tr> <tr> <td colspan="2">Maximum:</td><td>0.1</td></tr> <tr> <td colspan="2">Rapid risk assessment result:</td><td>GREEN: OFFENCE HIGHLY UNLIKELY</td></tr> </tbody> </table> This assessment confirms an offence is <i>Highly Unlikely</i> even if GCN are present at the pond 190m to the northwest. Notwithstanding this assessment, as best practice, a precautionary approach is to be adopted during the construction period.	Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score	Great crested newt breeding pond(s)	No effect	0	Land within 100m of any breeding pond(s)	No effect	0	Land 100-250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.1	Land >250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.005	Individual great crested newts	No effect	0	Maximum:		0.1	Rapid risk assessment result:		GREEN: OFFENCE HIGHLY UNLIKELY	
Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score																								
Great crested newt breeding pond(s)	No effect	0																								
Land within 100m of any breeding pond(s)	No effect	0																								
Land 100-250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.1																								
Land >250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.005																								
Individual great crested newts	No effect	0																								
Maximum:		0.1																								
Rapid risk assessment result:		GREEN: OFFENCE HIGHLY UNLIKELY																								
Other Protected Herpetofauna	No suitable habitats within or immediately adjacent to the site specifically suitable for other species of protected herpetofauna. No records of other protected amphibian or reptile species within a 2km radius.	Negligible																								
Protected Fish/Marine	No watercourses or waterbodies within or immediately adjacent to the site and no records of any protected fish or marine species within the search radius.	Negligible																								
White-clawed Crayfish	No watercourses or waterbodies present within or immediately adjacent to the site providing any opportunities for White-clawed Crayfish. No records of White-clawed Crayfish in the wider area.	Negligible																								
Protected Invertebrates	Only widespread and common habitats typical of the residential landscape are present. No habitats present which are likely to support a range or diversity of invertebrates or likely to support any protected invertebrate species. The data records search has not revealed any protected invertebrate species within the search area.	Negligible																								

Protected Flora	No protected flora species detected during the Phase I Habitat survey. Only common and widespread habitats present, and unlikely to support any protected flora species. No records of any protected flora within a 2km radius of the site.	Negligible
Invasive Flora	No invasive flora as listed on Schedule 9 of the Wildlife and Countryside Act 1981 were detected within or immediately adjacent to the site. Data search has revealed records in the wider area of Indian Balsam (<i>Impatiens glandulifera</i>), Rhododendron (<i>Rhododendron ponticum</i>) and Variegated Yellow Archangel (<i>Lamium galeobdolon</i> subsp. <i>argenteum</i>). No risk of the development causing the spread of invasive flora in the wild.	Negligible
Invasive Fauna	No invasive species detected during the survey, and no specific opportunities for any invasive species identified. Records in the wider area of Canada Goose (<i>Branta canadensis</i>) and Grey Squirrel (<i>Sciurus carolinensis</i>). No risk of the development causing the spread of invasive fauna in the wild.	Negligible
Priority Species	The grassland, tall herb and scrub habitats provide a limited extent of suitable foraging, refuge or shelter opportunities for other Priority Species, such as Common Toad (<i>Bufo bufo</i>) and Hedgehog (<i>Erinaceus europaeus</i>) which have been recorded in the wider area. A precautionary approach to site clearance is recommended below.	Local

4.0 Assessment and Mitigation

- 4.1.1 Assessment of impacts and the associated ecological effect to identified ecological features are presented below. Ecological features have been screened out where no likely significant impacts have been identified or where impact is unlikely to occur. Cumulative effects are also considered where applicable.
- 4.1.2 To clarify, there are no perceived potential impacts on any of the identified designated sites in the wider area. The proposals are of a type, scale and distance that any direct or indirect construction or operational impacts on the identified statutory and non-statutory designated sites and other notable features (e.g. Priority Habitats) are reasonably discounted. Specifically, no construction or operational impacts on the nearby Ingbirchworth Reservoir LWS are anticipated with the new residents considered to result in negligible potential recreational impacts on the site when considered in the context of the existing public access paths and the wider Ingbirchworth population.

Table 4 – Assessment of effect and mitigation measures

Ecological Feature	Impact	Avoidance/Mitigation	Compensation	Significance of Residual Effect
Bats	Significantly low risk of killing/injury of roosting bats and destruction of roosts during building demolition and felling of trees. Unlikely significant adverse, permanent, irreversible impact.	Nocturnal surveys, in accordance with current guidance (Collins, 2016), have confirmed a likely absence of roosting bats at the site. No further surveys or specific mitigation strategies (or Natural England EPS licence) is required to permit the proposed demolition works. Notwithstanding the findings of these surveys, due to the transient nature of bats, roosting bats can sometimes be found in unexpected locations and therefore all demolition works should be completed with a vigilance for the presence of bats. Although no supervision of the demolition by an Ecologist is required, if at any time during the demolition phase a roosting bat is discovered or suspected, all works in the area must immediately cease and an Ecologist or Natural England contacted for advice on how to proceed. In addition, no further surveys are necessary at any trees. However, where surveys have assessed trees as of ' <i>Negligible/no risk</i> ' or of ' <i>Low risk</i> ' of supporting roosting bats, it should be recognised that bats often have a transient nature and can sometimes be found roosting in unexpected locations. The contractor(s) should therefore be advised to carry out all tree work with care and vigilance for bats. When removing trees or undertaking tree surgery works at trees where a likely absence of roosting bat has been established the	None required.	No significant effect anticipated

Ecological Feature	Impact	Avoidance/Mitigation	Compensation	Significance of Residual Effect
		following procedures should be employed in the unlikely event any bats are discovered or suspected: - If the roost is still on/in the tree and bats are not injured, seek advice from Natural England or a suitably experienced ecologist. If help is not available, allow bats to fly out of harm's way; - If the timber is felled, the roost is not exposed, and the bats are not injured, seek advice from Natural England or a suitably experienced ecologist. If advice is not readily available, position the roost off the ground, and allow bats to relocate of their own accord; - If the roost has been exposed, contact Natural England or a suitably experienced ecologist; and - Note the date, locality, type of tree, situation in tree and bat species if known.		
Nesting Birds	Risk of disturbance of active nesting birds during works. Minor adverse, temporary, irreversible impact. (no significant loss of habitat)	To avoid an offence being committed in respect of nesting birds, site clearance works (such as tree felling and removal of the existing grassland), will be planned to be conducted outside of the bird nesting season (March to August inclusive). If it is necessary to undertake these works during the bird nesting season, a nesting bird survey will be conducted by a suitably trained Ecological Clerk of Works (ECoW) to determine the presence or absence of nesting birds in the areas to be affected. If any active nests are detected, an appropriate protection area around the nest(s) will be established until it can be determined that the nest is longer active. Can be subject of a condition.	None required.	No significant effect anticipated
Great Crested Newt	Significantly low risk of killing/injury of GCN during site clearance. Unlikely significant adverse, permanent, irreversible impact	To minimise the already significantly low risk of killing/injury of GCN even further, grassland, scrub and tall herb vegetation habitats shall be cleared in an ecologically sensitive manner. This will be undertaken by an ecological contractor or under the direct supervision of a suitably qualified Ecological Clerk of Works. In each instance, an ecologist will check any potential habitats/refugia immediately prior to clearance. Vegetation will then be cut/felled to a height of 0.15m to encourage any wildlife present to move outside of the working area. The cut habitats and any remaining refuge habitats will again be checked by an Ecological Clerk of Works prior to the stripping of the top-soil. If at any point during the construction phase a GCN is discovered or suspected, all works in the	None required.	No significant effect anticipated

Ecological Feature	Impact	Avoidance/Mitigation	Compensation	Significance of Residual Effect
		area should immediately cease, and an Ecologist or Natural England contacted on the appropriate way to proceed. No further survey required.		
Common Reptiles	Low risk of killing/injury of Common Reptiles during site clearance Unlikely significant adverse, permanent, irreversible impact	The above described sensitive clearance will also serve to minimise the risk of killing/injury of any common reptiles such as Slow-worm. Any common reptiles discovered will be safely moved to suitable refuge habitat outside of the construction area if not moving of their own accord. No further survey required.	None required.	No significant effect anticipated
Priority Species	Risk of killing/injury of Hedgehog and other wildlife during site clearance Minor adverse, temporary, irreversible impact.	Again, these sensitive clearance measures will also serve to minimise the risk of killing/injury of other wildlife such as Hedgehog or Common Toad.	None required.	No significant effect anticipated

5.0 Enhancement and Monitoring

- 5.1.1 Opportunities for biodiversity enhancement (above and beyond those required to mitigate for any identified impacts) have been determined through consideration of: Ecological Features identified on site and within the zone of influence; Historical records of protected species/habitats present within the locality; National and Local planning policy including National and Local Biodiversity habitats/species; Local Development Plans including consideration of Green/Blue Infrastructure Resource; Consultation with third parties/stakeholders where applicable; and Other influencing factors such as underlying Geology/Hydrology, intended operational activities, and existing disturbance activities within the locality. This makes specific reference to Biodiversity Net Gain, Good practice principles for development (CIEEM, IEMA, CIRA, 2019).
- 5.1.2 It is accepted that the scale and nature of the proposed development does not lend itself to providing large scale ecological enhancements, however, it is confirmed that the below minor enhancements, in combination with the above described mitigation measures, will demonstrate an overall net gain for biodiversity. Given the size of the site and the habitats present prior to development (i.e. predominantly buildings and bare ground), it is not considered any Biodiversity Offsetting calculation metric is necessary in this instance in order to confirm this. There is no current requirement under the NPPF or relevant local policies for any demonstrable measure (i.e. a %) of net gain. Further details on the specification and location of biodiversity enhancements can be requested as part of a condition where necessary.

Table 5 – Enhancement & Monitoring

Ecological Feature	Enhancement & Monitoring	Significance of Residual Effect
Landscape Planting	It is recommended the final landscape scheme incorporates a wide range of native species and species which are known to be of value to wildlife. Where possible, planting should be focussed on a linear design to provide enhanced habitat connectivity and wildlife corridor function across and around the site.	Major positive effect
Nesting Birds	To provide enhancement opportunities for nesting birds the development will incorporate one bird box per new dwelling (i.e. 13 in total). A range of bird nest boxes will be provided for a range of species likely to present at the developed residential site (e.g. House Sparrow, Starling etc.). Ideally, boxes will be incorporated into the brickwork of the new properties in order to provide a permanent feature. Boxes should be positioned at least 3 metres above ground level, away from major sources of human disturbance and should face onto suitable foraging habitats (e.g. surrounding trees and gardens). Boxes should also avoid south-facing elevations where excessive sunlight can cause chicks to overheat in the nest.	Major positive effect
Roosting Bats	To provide enhancement opportunities for roosting bats, one bat box per new dwelling is to be incorporated at the new residential properties (i.e. 13 in total). Again ideally, boxes will be incorporated into the brickwork of the new properties in order to provide a permanent feature. Boxes should be positioned at least 4 metres above ground level, away from major sources of human disturbance and artificial lighting and should face onto suitable foraging and commuting habitats (e.g. tree lines).	Major positive effect

Ecological Feature	Enhancement & Monitoring	Significance of Residual Effect
Hedgehog Highway	It is also recommended the final layout incorporates measures to allow Hedgehog and other wildlife to pass through the site. Within each proposed garden plot at least one boundary fence panel shall be raised by 0.1m to 0.15m, or have a hole of approximately 0.1 x 0.1m to allow wildlife such as Hedgehog to pass freely through the gardens, whilst also keeping the gardens secure for pets.	Minor positive effect
Hibernacula	Arising from the necessary tree and shrub clearance are to be formed into informal deadwood piles which will provide refuge, shelter and hibernation potential for a range of wildlife likely to be present at the site following development (e.g. Hedgehog, other small mammals, amphibians and invertebrates). These are to be positioned at the boundaries of the site and new gardens where they will be of highest value to wildlife.	Minor positive effect

5.1.3 No post-determination monitoring is perceived necessary. To comply with guidance set out in BS42020:2013, a Construction Environment Management Plan (CEMP) which includes consideration of biodiversity would normally be produced prior to the commencement of construction activities, including site clearance works. However, due to the limited number of ecological features identified, this report (specifically the mitigation details outlined within section 4.0) will sufficiently serve to advise site contractors of any measures necessary to avoid/mitigate impacts to any protected habitat/species. A Landscape and Ecological Management Plan (LEMP) would also normally be produced prior to operation of the site. Again, due to the small scale of the development and limited features that will be incorporated into the landscape, this will not be produced.

6.0 Conclusion

- 6.1.1 This assessment identifies appropriate avoidance/mitigation/compensation measures to mitigate the potential impacts to ecological features and to demonstrate 'biodiversity net gain in accordance with NPPF and local planning policy (even in a 'worst case scenario' should further surveys identify the presence of protected species). As such, no significant residual impact can be expected which would prevent determination of a planning application or development of this site.

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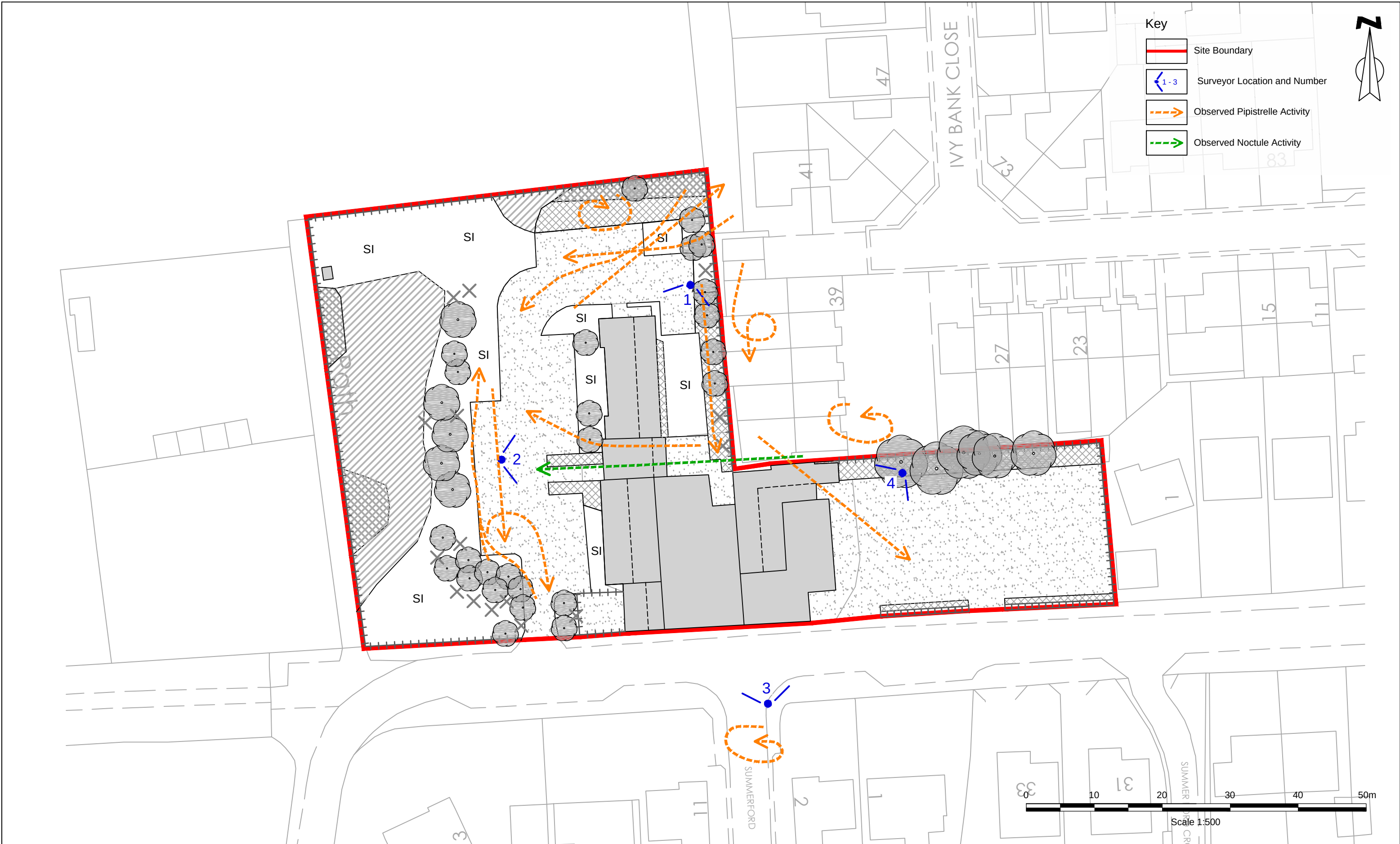
Drawing CRM.1298.003.EC.D.001 – Phase I Habitat Map



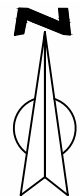
Notes:

SCALE	PROJECT NO.	PROJECT
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DATE	DRAWING NO.	DRAWING TITLE
Sept 2020	CRM.1298.003.EC.D.001	Phase I Habitat Map
DRAWN	CHECKED	CLIENT
MG	CS	Conroy Brook Developments

**Drawing CRM.1298.003.EC.D.002A and .002B – Nocturnal Bat
Presence/Absence Survey Results**



- Key
- Site Boundary
 - Surveyor Location and Number
 - Observed Pipistrelle Activity
 - Observed Noctule Activity



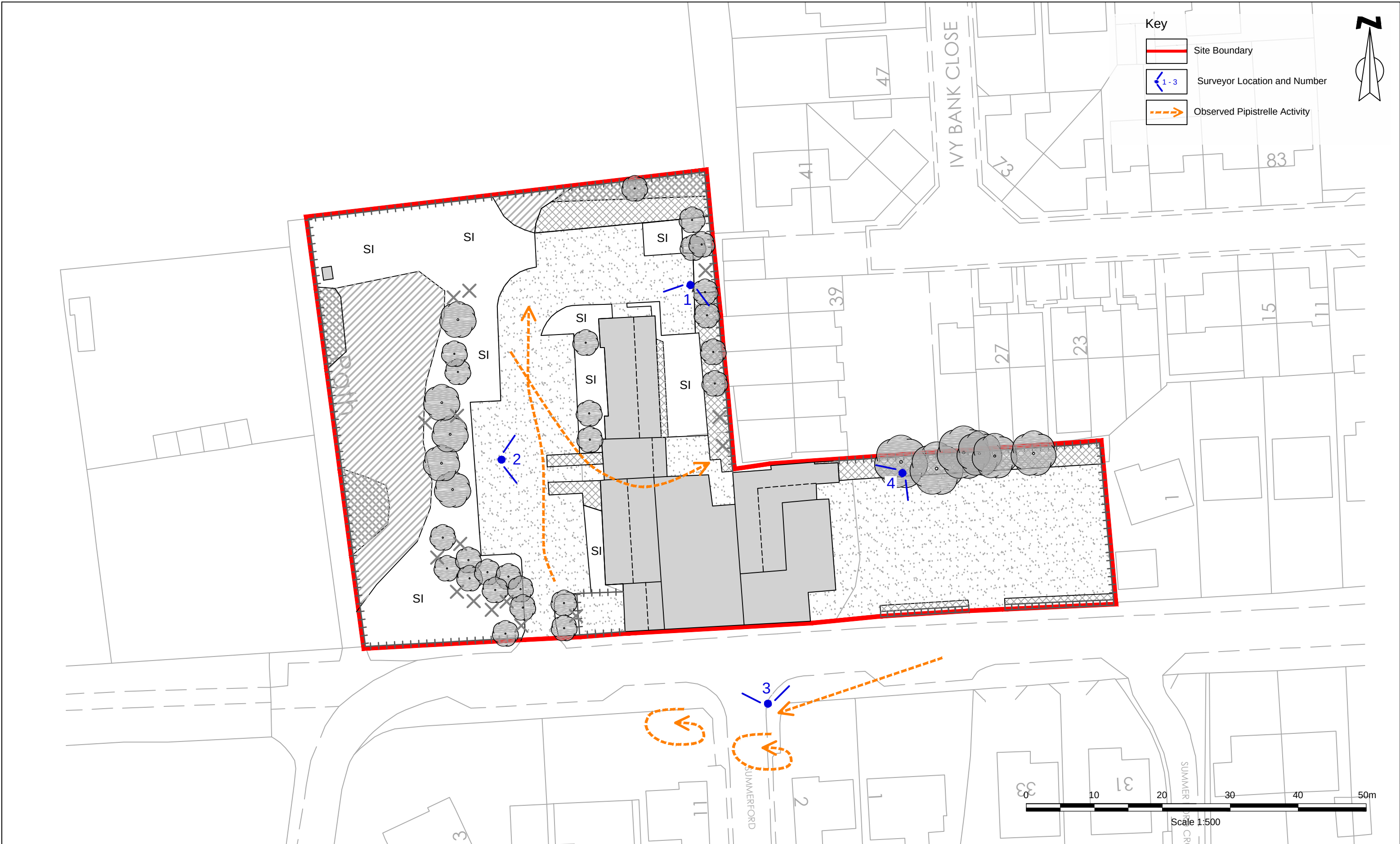
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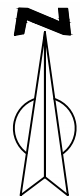
Samuel House, 5 Fox Valley Way, Stocksbridge, Sheffield, S36 2AA

SCALE	PROJECT NO.
1:500@A3	CRM.1298.003
DATE	DRAWING NO.
Sept 2020	CRM.1298.003.EC.D.002a
DRAWN	CHECKED
MG	CS

PROJECT
The Fountain Inn, Ingbirchworth
DRAWING TITLE
Nocturnal Bat Survey 1 (Dusk Emergence)
CLIENT
Conroy Brook Developments



- Key
- Site Boundary
 - Surveyor Location and Number
 - Observed Pipistrelle Activity



Notes:



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SCALE	PROJECT NO.
1:500@A3	CRM.1298.003
DATE	DRAWING NO.
Sept 2020	CRM.1298.003.EC.D.002b
DRAWN	CHECKED
MG	CS

PROJECT
The Fountain Inn, Ingbirchworth
DRAWING TITLE
Nocturnal Bat Survey 2 (Dawn Re-entry)
CLIENT
Conroy Brook Developments

Appendix A – Proposed Site Layout

Appendix B – Preliminary Bat Roost Assessment

Ref	Photos & Description	Assessment (Suitability for Roosting Bats)
Fountain Inn	A single large brick and mortar building which was in previous use as a Public House and Hotel. The building is complex in its construction, with two-storey sections at the south-east and north-west, and the remainder a low single-storey. The two-storey sections support pitched tiled roofs, whereas the single-storey areas have a flat roof covered in bitumastic roofing felt. Externally, the building remains in relatively good condition and is predominantly well-sealed. There are localised features which may provide opportunities for roosting bats, comprising loose and lifted roof tiles, gaps in the mortar at the edge of the roof at the southern elevation, and damaged plastic soffit boxes at the northern elevation and at a section of south facing wall at the centre of the building. It is noted that there are significant sources of artificial lighting which illuminate the whole southern section of the building and likely reduce the attractiveness of this part of the building for roosting bats. No evidence of bats detected at the exterior of the building. Internally, the building is now disused but remains in good condition and well-lit due to the windows. There is a total of 12 dark enclosed roof voids above the various two-storey sections. Four of these voids are located in the eastern part of the building and are notably shallow, at a maximum of 1m high at the centre. These voids are all of similar construction with timber rafters, purlins and supports, roof membranes covering the underside of the roof, and brick and mortar walls separating each of the voids. No evidence of roosting bats (e.g. droppings or feeding remains) detected anywhere in these voids, and no notable opportunities for access (i.e. holes or gaps) from the exterior of the building. The western part of the building has eight separate roof voids, including a large 15m long void at the south-west. These voids are all slightly higher than those to the east at	Moderate

Ref	Photos & Description	Assessment (Suitability for Roosting Bats)
	 approximately 1.5m high, and again are of comparable type and construction with timber supports, a modern roofing membrane and insulation covered floors. No evidence of roosting bats detected anywhere in these voids, and again, no notable opportunities for access from the exterior of the building. There are no cellars, or any other underground areas within this building (the former drinks store is on the ground floor). There are no areas which are considered suitable for hibernating bats (i.e. areas which likely keep constant temperature and conditions through winter). All areas of the building, including all roof voids, were fully accessible (the shallow nature of some of the voids did not prevent a full detailed search).	
Timber Shed	 A small timber garden shed at the north-west corner of the site. No notable opportunities for roosting bats with no gaps, cavities or voids present. No evidence of roosting bats.	Negligible
All trees	 None of the scattered trees were observed to support any potential roosting features. Trees are predominantly too young to have developed features, such as hollows, cavities and woodpecker holes, which are typical of more mature trees. Trees all provide <i>Negligible</i> roosting potential	Negligible

Appendix C – Nocturnal Bat Survey Raw Results

2020 Bat Emergence/Re-entry Survey Results

Date	Survey Position	Time	Species	Notes
10/09/2020	1	20:00	Common Pipistrelle	Foraging north to south in gardens to rear
10/09/2020	1	20:02	Noctule	Brief distant, heard not seen
10/09/2020	1	20:03	Soprano Pipistrelle	Pass from NE of site around north side of building heading SW.
10/09/2020	1	20:04	Noctule	Flying high over site from E to W
10/09/2020	1	20:05	Common Pipistrelle	Foraging pass from NE to W
10/09/2020	1	20:07	Soprano Pipistrelle	Foraging pass from NE to W
10/09/2020	1	20:08	Common Pipistrelle	Brief pass, heard not seen
10/09/2020	1	20:09	Soprano Pipistrelle	Pass from N to S down E of building
10/09/2020	1	20:10	Soprano Pipistrelle	Pass from W to E across N side of building
10/09/2020	1	20:11	Soprano Pipistrelle	Foraging at Cherry Laurel to N
10/09/2020	1	20:13 to 20:14	Common Pipistrelle	Foraging at Cherry Laurel to N and down trees to E
10/09/2020	1	20:15	Common Pipistrelle	Heard not seen
10/09/2020	1	20:16	Soprano Pipistrelle	Two individuals pass from NE of site to W
10/09/2020	1	20:22	Common Pipistrelle	Heard not seen
10/09/2020	1	20:23	Myotis sp.	Single pass. Heard not seen
10/09/2020	1	20:27	Soprano Pipistrelle	Heard not seen
10/09/2020	1	20:32	Soprano Pipistrelle	Heard not seen
10/09/2020	1	20:35	Noctule	Heard not seen
10/09/2020	1	20:37	Common Pipistrelle	Heard not seen
10/09/2020	1	20:39	Soprano Pipistrelle	Heard not seen
10/09/2020	1	20:44	Soprano Pipistrelle	Heard not seen
10/09/2020	2	19:50	Common Pipistrelle	Pass from E to W high over building, did not emerge from roof
10/09/2020	2	20:00	Common Pipistrelle	Heard not seen
10/09/2020	2	20:03	Soprano Pipistrelle	Pass N to S along trees behind
10/09/2020	2	20:04	Noctule	Flying high over site from E to W
10/09/2020	2	20:10	Soprano Pipistrelle	Foraging low around trees to S
10/09/2020	2	20:13	Soprano Pipistrelle	Heard not seen
10/09/2020	2	20:14	Common Pipistrelle	Flew S to N along treeline behind
10/09/2020	2	20:15	Noctule	Heard not seen
10/09/2020	2	20:16 to 20:39	Soprano Pipistrelle	Frequent foraging passes
10/09/2020	2	20:19 to 20:23	Common Pipistrelle	Frequent foraging passes
10/09/2020	2	20:33	Myotis sp.	Heard not seen
10/09/2020	2	20:35	Noctule	Heard not seen
10/09/2020	3	20:03	Noctule	Heard not seen
10/09/2020	3	20:04	Noctule	Pass high over pub to the W
10/09/2020	3	20:06	Common Pipistrelle	Heard not seen, faint.
10/09/2020	3	20:11	Common Pipistrelle	Heard not seen
10/09/2020	3	20:13	Common Pipistrelle	Heard not seen
10/09/2020	3	20:16	Soprano Pipistrelle	Heard not seen, faint.
10/09/2020	3	20:22	Common Pipistrelle	Heard not seen
10/09/2020	3	20:25	Common Pipistrelle	Heard not seen
10/09/2020	3	20:35	Common Pipistrelle	Heard not seen
10/09/2020	3	20:36 to 20:37	Common Pipistrelle	Foraging along street to S
10/09/2020	3	20:43 to 20:44	Common Pipistrelle	Foraging along street to S

Date	Survey Position	Time	Species	Notes
10/09/2020	4	19:56	Common Pipistrelle	Foraging in gardens beyond trees to N
10/09/2020	4	20:00	Common Pipistrelle	Foraging in gardens to N
10/09/2020	4	20:02	Common Pipistrelle	Heard not seen
10/09/2020	4	20:04	Noctule	Flying high over site from E to W
10/09/2020	4	20:15	Soprano Pipistrelle	Heard not seen
10/09/2020	4	20:16	Common Pipistrelle	Heard not seen
10/09/2020	4	20:20	Common Pipistrelle	Heard not seen
10/09/2020	4	20:21	Common Pipistrelle	Heard not seen
10/09/2020	4	20:31	Soprano Pipistrelle	Heard not seen
10/09/2020	4	20:34	Soprano Pipistrelle	Heard not seen
10/09/2020	4	20:38	Soprano Pipistrelle	Heard not seen
10/09/2020	4	20:40	Noctule	Heard not seen
10/09/2020	4	20:42	Soprano Pipistrelle	Heard not seen
10/09/2020	4	20:45	Common Pipistrelle	Heard not seen
10/09/2020	4	20:50	Soprano Pipistrelle	Heard not seen
23/09/2020	1	05:38	Common Pipistrelle	Brief pass, heard not seen.
23/09/2020	1	06:26	Soprano Pipistrelle	Heard not seen
23/09/2020	1	06:38	Noctule	Heard not seen faint
23/09/2020	2	05:30	Common Pipistrelle	Heard not seen
23/09/2020	2	05:36	Soprano Pipistrelle	Heard not seen
23/09/2020	2	05:42	Common Pipistrelle	Heard not seen
23/09/2020	2	05:47 to 05:53	Soprano Pipistrelle	Frequent foraging passes
23/09/2020	2	06:08	Common Pipistrelle	Heard not seen
23/09/2020	2	06:26	Soprano Pipistrelle	Pass from S to NE round building
23/09/2020	2	06:29	Soprano Pipistrelle	Pass high over building to E. Did not enter roost
23/09/2020	2	06:39	Noctule	Brief, heard not seen
23/09/2020	3	05:29	Common Pipistrelle	Heard not seen, faint
23/09/2020	3	05:37	Common Pipistrelle	Foraging and social calls in street to S
23/09/2020	3	05:42	Common Pipistrelle	In street to S
23/09/2020	3	05:46	Soprano Pipistrelle	Flew W to E along Wellthorne Lane
23/09/2020	3	05:51	Common Pipistrelle	In street to S
23/09/2020	3	05:56 to 05:58	Common Pipistrelle	Frequent passes in street to S
23/09/2020	3	06:39	Noctule	Pass high over S of site
23/09/2020	4	05:48	Common Pipistrelle	Heard not seen
23/09/2020	4	05:49	Common Pipistrelle	Heard not seen
23/09/2020	4	05:50	Noctule	Heard not seen
23/09/2020	4	05:55	Common Pipistrelle	Heard not seen
23/09/2020	4	05:57	Noctule	Heard not seen
23/09/2020	4	06:28	Common Pipistrelle	Heard not seen
23/09/2020	4	06:30	Common Pipistrelle	Heard not seen
23/09/2020	4	06:34	Common Pipistrelle	Heard not seen
23/09/2020	4	06:38	Common Pipistrelle	Heard not seen
23/09/2020	4	06:41	Myotis sp.	Heard not see
23/09/2020	4	06:43 to 06:45	Common Pipistrelle	Heard not seen

Appendix D - Legislation and National Planning Policy

Legislation

Wildlife legislation and policy relevant (or potentially relevant pending further survey) to the proposed works, based on the findings of the desk study and field survey are set out below. This legal information is a summary only, and the original legal documents should be consulted for definitive information.

Legislation Protection Afforded to Sites/Habitats that could Potentially be Affected by the Proposed Works

Designated Site/Habitat	Legal Status
None	-

Legislation Protection Afforded to Species that could Potentially be Affected by the Proposed Works

Species	Legal Status
European Protected	
Bats & Great Crested Newt	These animal species and their breeding sites or resting places are protected under Regulation 41 of the Conservation of Habitats and Species (Amendment) Regulations 2012, which makes it illegal to: • Deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs; • Deliberately disturb such an animal; • Damage or destroy a breeding site or resting place of such an animal. European Protected Species (EPS) licences can be granted by Natural England in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed: • The development is for reasons of overriding public interest; • There is no satisfactory alternative; and • The favourable conservation status of the species concerned will be maintained and/or enhanced. Under Regulation 9(5) of the Conservation Regulations, Planning Authorities have a legal duty to 'have regard to the requirements of the EC Habitats Directive in the exercise of their functions'. This means that they must consider the above 3 tests when determining whether Planning Permission should be granted for developments likely to cause an offence under the Conservation Regulations. As a consequence, Planning Applications for such developments must demonstrate that the 3 tests will be passed.
Nationally Protected	
Bats & Great Crested Newt	These animals receive full protection under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: • Intentionally kill, injure or take any such animal; • Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal; and Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.
Badger	The Protection of Badgers Act 1992 makes it illegal to wilfully kill or injure a Badger, or attempt to do so and also make it illegal to intentionally or recklessly interfere with a Badger sett. This includes damaging or destroying a sett, obstructing access to a sett and disturbing a Badger while it is occupying a sett.

Species	Legal Status
	Licences can be granted to permit sett closure and/or disturbance between July and November inclusive.
Nesting Birds (general)	All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: - Intentionally kill, injure or take any wild bird; - Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.
Common Reptiles (e.g. Viviparous Lizard, Grass Snake and Slow-worm)	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.
Wild Mammals	The Wild Mammals (Protection) Act 1996 makes it illegal to mutilate, kick, beat, nail, or otherwise impale, stab, burn, stone, drown, crush, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.
Invasive Species	
None	-

Section 40 of the Natural Environment and Rural Communities Act 2006 (the NERC Act) places a legal duty on public bodies, including planning authorities, to 'have regard' to the conservation of biodiversity when carrying out their normal functions, which includes consideration of planning applications.

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), of which there are 56 habitats and 943 species. The HPI/SPI list is used to guide planning authorities in implementing their duty under the NERC Act.

National Planning Policy

The NPPF (2019) set out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development. This presumption does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered, planned or determined.

The NPPF states that:

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

- 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;
- 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;
- 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 and a suitable compensation strategy exists;
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity

- the following wildlife sites should be given the same protection as European sites: potential Special Protection Areas (SPA) and possible Special Areas of Conservation (SAC); listed or proposed Ramsar sites; and sites identified, or required, as compensatory measures for adverse effects on European sites, potential SPAs, possible SACs, and listed or proposed Ramsar sites.'

Under the NPPF, the Planning Authority has a responsibility to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Also, under the NPPF, the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity (in a manner commensurate with their statutory status or identified quality in the development plan) and to minimise impacts on, and provide net gains for biodiversity, including by establishing a coherent ecological network that are more resilient to current and future pressures.



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Cromhall
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Samuel House
5 Fox Valley Way
Stocksbridge
Sheffield S36 2AA
Tel: 0114 321 5151

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