

Date: 12 April 2022  
Our ref: 385680  
Your ref: 2022/0115



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**BY EMAIL ONLY**

Dear James Hyde

**Planning consultation:** 215 dwellings with associated car parking/garages, landscaping, public open space including both equipped and non-equipped areas of play, SUDS and drainage, with details of a new vehicular access onto Shaw Lane.

**Location:** Land north of Shaw Lane, Carlton, Barnsley, S71 3HH.

Thank you for your consultation on the above dated 07 March 2022, which was received by Natural England on the same date. Thank you also for granting Natural England an extension until 11 April 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**SUMMARY OF NATURAL ENGLAND'S ADVICE**

**FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITE**

As submitted, the application could have potential significant effects on Dearne Valley Wetlands Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- A SSSI assessment considering:
  - potential impacts on water quality;
  - potential impacts from increased recreational pressure;
  - potential impacts on birds using functionally linked land associated with the Dearne Valley Wetlands SSSI; and
  - potential impacts on air quality.

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

## **WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)**

### **Sites of Special Scientific Interest**

Natural England notes that the application site is located in proximity to the Dearne Valley Wetlands Site of Special Scientific Interest (SSSI). Based on the plans submitted, Natural England considers that the proposed development could have potential significant effects on the interest features for which the Dearne Valley Wetlands SSSI site has been notified. Natural England requires further information in order to determine the significance of these impacts.

Natural England advises that a SSSI assessment should be carried out to determine the significance of the potential impacts identified below and assess whether the proposal could damage or destroy the features of special interest for which the SSSI is notified.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

### **Additional Information required**

#### *Water quality*

Natural England notes that the application proposes to discharge surface water to a sustainable drainage system. However, it is not clear what the details of the proposed drainage strategy are, nor whether surface water is likely to discharge to a watercourse which will run through Dearne Valley Wetlands SSSI. We advise that further information is provided in the SSSI assessment relating to how potential water quality impacts on the SSSI have been considered.

#### *Increased recreational pressure*

Due to the close proximity of the proposed development to Dearne Valley Wetlands SSSI, the proposed development could lead to increased recreational pressure on the designated site. We recommend that an assessment of the potential impacts on the designated site from increased recreational access to the SSSI is carried out.

#### *Functionally linked land*

Natural England advises that the assessment should have specific regard for the potential for the proposed development site to be functionally linked to the Dearne Valley Wetlands SSSI.

Some SSSIs are classified for rare and vulnerable birds. Many of these sites are designated for mobile species that may also rely on areas outside of the site boundary. These supporting habitats may be used by SSSI populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SSSI species populations, and proposals affecting them may therefore have the potential to affect the SSSI.

Natural England advises that the potential for offsite impacts should be considered in assessing what, if any, potential impacts the proposal may have on the Dearne Valley Wetlands SSSI.

Natural England advises that the following information will help undertake a SSSI assessment:

- A data search from the local Ecological Data Centre;
- Consultation with the Council's Ecologist;
- Consultation with local bird groups and other organisations that may hold relevant information; and

- A desk-based assessment - using aerial photography, mapping, habitat maps and relevant ecological literature – of the suitability for SSSI birds of the habitats present on the proposed site and adjacent areas.

If there is no evidence that the site is used by SSSI birds, then further surveys may not be required at this stage. Where it is not possible to conclude that the SSSI birds would not use the site, further surveys may be required in order to properly understand the level of use by SSSI birds and any identified impacts on these birds should be avoided or mitigated.

### *Air Quality*

Natural England notes that the potential environmental effects of the proposed development have been assessed according to the guidance produced by EPUK and IAQM in January 2017 “Guidance on the Assessment of Air Quality Impacts on Designated Nature Conservation Sites”. Natural England recommends that the potential environmental effects be assessed using the methodology set out in guidance note NEA001 “Natural England’s approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations.” Although the guidance specifically relates to European sites, it is our advice that the methodology can also be applied to the SSSI assessment.

The assessments of nitrogen deposition and acid deposition appear conflated. It is not clear whether the conclusions provided under Tables 6-15 and 6-16 relate to nitrogen deposition or acid deposition. Natural England expect that the potential environmental effects of nitrogen deposition and acid deposition will be assessed separately. The results of any assessment should be clearly explained and justification provided as to why the proposed development will not result in a significant impact to the features of the designated site.

In assessing the potential environmental effects, we recommend that the source of the data be made absolutely clear. For example, it is not clear how the Critical Load for nitrogen deposition at Dearne Valley Wetlands (SSSI) (E1), presented in Table 6-14, has been derived.

In addition, ammonia, along with nitrous oxides (NO<sub>x</sub>), can contribute to N-deposition in the soil and potential eutrophication of habitats. Whereas background levels of nitrous oxides have shown a steady decline over time due to reduced emissions from vehicles and other sources, levels of ammonia have remained relatively stable over the last 30 years.

Ammonia can be emitted from vehicle exhaust emissions as a by-product of the catalytic conversion process designed to reduce emissions of nitrogen oxide. As traffic composition transitions toward more petrol and electric cars (*i.e.* fewer diesel cars on the road), catalytic converters may aid in reducing NO<sub>x</sub> emissions but result in increased ammonia emissions. Ammonia emissions from road traffic therefore could make a significant difference to nitrogen deposition close to roads.

Natural England therefore advise that ammonia sourced from traffic emissions should be included for assessment as the impact from this source on designated sites is currently unclear. For further information please see this [report](#) from Air Quality Consultants (AQC) that looks at ammonia emissions from roads for assessing impacts on nitrogen-sensitive habitats. Whilst we are aware that the current CREAM model created by AQC used to assess ammonia emissions from road traffic has not been peer reviewed, at this time it has been recognised as a Best Available Tool and we deem it appropriate to be used where any caveats associated with this model are also considered within the assessment. An assessment based on the best available approach is necessary. The next stage of assessment can then consider uncertainties in the model and site specifics to decide if mitigation needs to be considered.

Finally, we note that the air quality assessment has not considered in-combination impacts from other relevant plans/ projects. The in-combination assessment makes sure that the effects of

numerous small proposals, which alone would not result in a significant effect, are assessed to determine whether their combined effect would be significant enough to require more detailed assessment.

Natural England advises that plans or projects that should be considered in the in-combination assessment include the following:

- The incomplete or non-implemented parts of plans or projects that have already commenced;
- Plans or projects given consent or given effect but not yet started;
- Plans or projects currently subject to an application for consent or proposed to be given effect;
- Projects that are the subject of an outstanding appeal;
- Ongoing plans or projects that are the subject of regular review;
- Any draft plans being prepared by any public body;
- Any proposed plans or projects published for consultation prior to application.

Currently, the critical loads and levels use background data from 2017 to 2019. This means that any relevant proposals/permissions/environmental permits from 1st January 2020 onwards must be included in the search, as their emissions will not be included in the background data. We advise that Natural England's Impact Risk Zones may help to determine the appropriate distance from the designated site to carry out the search for relevant plans/projects. The dataset and user guidance can be accessed from the data.gov.uk website or you can search the 'Magic' mapping website.

If any proposals, planning applications or environmental permits are found in this search, then the process contribution results from each one needs to be added to the process contribution results from current proposal to determine the in-combination impacts.

#### **Other advice**

In addition, Natural England offers the following advice.

#### ***Habitat enhancements for the assemblage feature of the Dearne Valley Wetlands SSSI***

The Dearne Valley Wetlands SSSI supports a nationally important assemblage of breeding birds. Some of these interest features may also rely on areas outside of the site boundary. These supporting habitats may be used by SSSI bird populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SSSI species populations, and proposals affecting them may therefore have the potential to affect the SSSI.

The application site is within or in close proximity to an area known to support willow tit, which are part of the breeding bird assemblage feature of the SSSI. Willow tit populations declined by 94% between 1970 and 2012, with habitat fragmentation a key contributor to their decline. To ensure that habitat networks for willow tits and other breeding birds of the SSSI assemblage feature are preserved around the Dearne Valley Wetlands SSSI, Natural England advise that any habitat enhancements should emphasise scrub creation and/or maintenance. Both the Willow Tit Conservation Handbook and Willow Tit Habitat Guide produced from the Back from the Brink programme contain useful guidance about willow tits and their habitat preferences, and can be used to inform habitat management and enhancements undertaken on-site.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me at

[Katharine.Carson@naturalengland.org.uk](mailto:Katharine.Carson@naturalengland.org.uk). For any new consultation, or to provide further information on this consultation please send your correspondence to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above has been provided.

Yours sincerely

Katharine Carson  
Yorkshire and Northern Lincolnshire Area Team

## Annex A – Additional advice

Natural England offers the following additional advice:

### Landscape

Paragraph 174 of the [National Planning Policy Framework](#) (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

### Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#) Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

### Protected Species

Natural England has produced [standing advice](#)<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found

<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

## Annex A – Additional advice

[here](#).

### **Ancient woodland, ancient and veteran trees**

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

### **Environmental gains**

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's [Biodiversity Metric 3.0](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.0](#) and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.0](#) and is available as a beta test version.

## **Annex A – Additional advice**

### **Access and Recreation**

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

### **Rights of Way, Access land, Coastal access and National Trails**

Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

### **Biodiversity duty**

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).