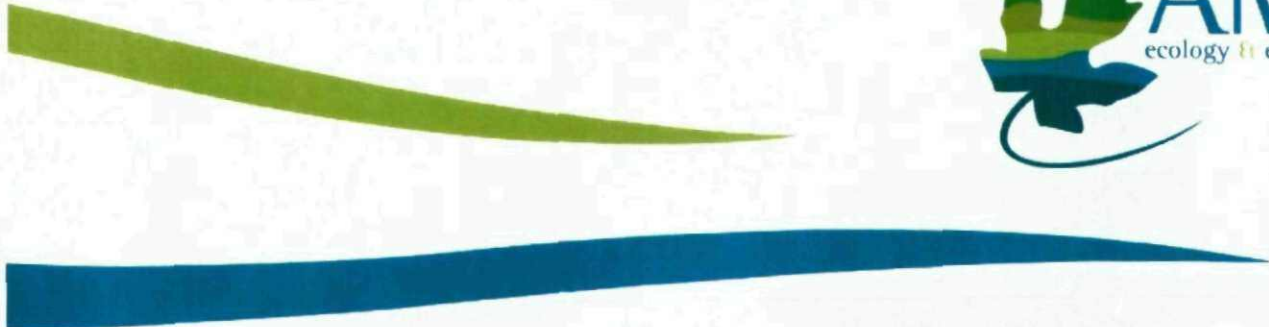


Ecological Survey
Barnsley Road, Wombwell.

Andrew McCarthy Associates



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Disclaimer

This document has been prepared by Andrew McCarthy Associates for Homes By Woodford Ltd solely as an Ecological Survey Report in response to a planning application to develop the site for housing. Andrew McCarthy Associates accepts no responsibility or liability for any use that is made of this document other than by the client for the purposes for which it was originally commissioned and prepared.

NON-TECHNICAL SUMMARY

No species or habitats of conservation value were recorded by the survey, with the notable exception of three breeding pairs of little ringed plover, nesting within the rubble matrix which is the predominant habitat on site.

Little ringed plover are listed under Schedule 1 of the Wildlife and Countryside Act (1981) and are protected by special penalties at all times from reckless or intentional actions, including disturbance whilst nest building or at (or near) a nest with eggs or young; or disturbance to dependent young of such a species. It is therefore recommended that in order to prevent a breach of the relevant legislation, the site is not accessed by personnel for any reason until the nesting attempt is complete and the young birds have fledged and left the site.

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1 INTRODUCTION

1.1 Terms of Reference

Andrew McCarthy Associates (part of the SLR group) was commissioned by Stuart Mapp of Homes By Woodford Ltd to undertake a Ecological Survey of Barnsley Road, Wombwell (approximate central OS grid reference SE 388 042). The survey is to inform a planning application to develop the site for housing.

1.2 Site Description

The site is a small parcel of land set within an entirely urban location between Barnsley and Wombwell, South Yorkshire. At the time of survey the site habitats were dominated by brick rubble from the flattened remains of previous industrial buildings.

1.3 Relevant Legislation & Policy¹

1.3.1 Legislation

The European Community Council Directive 79/409/EEC on the Conservation of Wild Birds (commonly known as the 'Birds Directive') provides a framework for the conservation and management of wild birds in member states. Species listed in Annex 1 of the Birds Directive are subject to special conservation measures through the designation of Special Protection Areas (SPA) to safeguard important sites and habitats within their area of distribution.

The Birds Directive is transposed into English law by the Wildlife & Countryside Act (WCA) 1981, as amended by the Countryside and Rights of Way (CROW) Act 2000 and the Natural Environment and Rural Communities (NERC) Act 2006.

The WCA offers legal protection to all wild birds, their nests and eggs. It is an offence, with certain exceptions, to intentionally kill or injure any wild bird, damage or destroy the nest of any wild bird while it is in use or being built, or destroy the egg of any wild bird. Species listed in Part 1 of Schedule 1 to the WCA are protected by special penalties at all times from reckless or intentional actions, including disturbance whilst nest building or at (or near) a nest with eggs or young; or disturbance to dependent young of such a species.

¹ Please note that this legal information is a summary and intended for general guidance only. The original legal documents should be consulted for definitive information. Web addresses providing access to the full text of these documents are given in the References & Bibliography section.

In addition, Section 40 of the NERC Act 2006 places a duty on public authorities to have due regard for biodiversity and nature conservation during the course of their operations.

1.3.2 Policy

Planning Policy Statement 9 and its accompanying document ODPM 06/2005 sets out government policy on biodiversity and nature conservation and places a duty on planners to make material consideration to the effect of a development on legally protected species when considering planning applications. PPS9 also promotes *sustainable development by ensuring that developments take account of the role and value of biodiversity and that it is conserved and enhanced within the development.*

The UK Biodiversity Action Plan (UKBAP) (Anon, 1995), as amended, organised to fulfil the Convention on Biological Diversity in 1992, to which the UK is a signatory, has produced a national priority species list (including 59 species of bird) with all species included having Species Action Plans. Regional and local BAPs have also been organised to develop plans for species of nature conservation importance at regional and local levels. Little ringed plover, which occurs on site is a Local (Barnsley) BAP Priority Species.

Further to the Section 40 duty to conserve biodiversity, Section 41 of the NERC Act (2006) places duties on the Secretary of State to produce and maintain a list of species of principal importance for conserving biodiversity in England, and to promote protection of such species and their habitats to others.

2 METHODOLOGY

2.1 Field Survey

Due to the presence of several breeding pairs of little ringed plover, a site walkover could not be undertaken in the normal manner due to likely disturbance of the nesting birds; instead the (small and open) site was viewed and described from outside it's fenced boundaries, where the regular presence of members of the public seemed to have habituated the birds to regular disturbance of this nature.

All habitats within the site boundary were evaluated for their potential to support *notable/legally protected species*. An *indicative plant species list* was recorded, although this may not be exhaustive due to the lack of access to the site interior. Surveys were undertaken by Tim Palmer, Principal Consultant at AMA on the morning of 9th July 2010.

2.2 Desk study

The National Biodiversity Network (NBN) gateway was accessed for records of legally protected and/or notable species within 5Km of the site.

2.3 Limitations

Given the open nature of the site, its lack of vegetation cover, urban location and its small size, it is considered that sufficiently robust assessment of the site's potential to support protected species was undertaken from just outside the site boundaries, viewing across the habitats using binoculars, however the recorded botanical assemblage may not have been complete. There were no other survey limitations.

2.4 Quality Assurance & Environmental Management

All ecologists employed by Andrew McCarthy Associates are members of, or are under application for, membership of the Institute of Ecology and Environmental Management (IEEM) and follow the Institute's code of professional conduct when undertaking ecological work.

3 RESULTS

3.1 Desk Study

A range of widespread bird species are present on the data set including little ringed plover *Charadrius dubius*, although the exact locations are confidential. Records for other protected species including great crested newt *Triturus cristatus*, adder *Vipera berus*, common lizard *Zootoca vivipera*, slow worm *Anguis fragilis* and grass snake *Natrix natrix* are also shown, although these originate from Worsborough Mill Country park, some 3-4km to the west of the development site. A range of bat species were also listed on the data set including common and soprano pipistrelle *Pipistrellus sp*, Daubenton's bat *Myotis Daubentonii*, and brown long-eared bat *Plecotus auritus*, none of these occurred within 1km of the development site.

3.2 Field Survey

3.2.1 Habitats

The site supported sparse ephemeral/short perennial vegetation over brick/concrete rubble (see plate 1) predominantly around the edges and scattered locations within its centre. No single community/plant species was dominant due to the scattered distribution of cover, the following species were recorded: red fescue *Festuca rebra*, Yorkshire-fog *Holcus lanatus*, goat willow *Salix capraea*, common couch *Elytrigia repens*, teasel *Dipsacus fullonum*, prickly lettuce *Lactuca serriola*, hedge mustard *Sisymbrium officinale*, creeping thistle *Cirsium arvense*, spear thistle *Cirsium vulgare*, tufted hair-grass *Deschampsia Cespitosa*, oxeye daisy *Leucanthemum vulgare*, common poppy *Papaver rhoeas*, white campion *Silene latifolia*, smooth sow-thistle *Sonchus oleraceus*, prickly sow-thistle *Sonchus asper*, purple toadflax *Linum purpurea*, wormwood *Artemisia absinthum*, red valerian *Centranthus rubra*, creeping bent *Agrostis stolonifera*, knotgrass *Polygonum aviculare*, great mullein *Verbascum thapsus*, great willowherb *Eppilobium hirsutum*, annual meadow grass *Poa annua*, bramble *Rubus fruticosus*, false oat-grass *Arrhenatherum elatius*, cleavers *Galium aperine*, field horsetail *Equisetum arvense*, buddleja *Buddleja davidii*, perforate St.John's wort *Hypericum perforatum*, bush vetch *Vicia sepium*, curled dock *Rumex crispus* and broad-leaved dock *Rumex obtusifolius*.



Plate 1: View across the site from the western boundary showing the remains of the former industrial building and brick rubble matrix.

The southern and western edges of the site supported a thin strip of broad leaved woodland with young specimens of silver birch *Betula pendula*, false-acacia *Robinia pseudoacacia*, Leyland cypress *Cupressocyperus leylandii*, and goat willow saplings present.



Plate 2: View across the site centre towards the woodland strip along the southern boundary.

3.2.2 Species

The site contained no aquatic habitat for breeding amphibians including great crested newt and was considered unsuitable for occupation by badger, reptiles, water vole and otter. The remains of a former electricity sub-station remained as the only structure on site although this was considered to be of negligible value to roosting bats. A pair of barn swallow was recorded nesting in this building at the time of survey.

The site was notable in a local context for the presence of three pairs of breeding little ringed plover which are listed on Schedule 1 of the Wildlife and Countryside Act (1981). Two active nests within the open rubble matrix were located by viewing across the site with binoculars and a third pair were recorded exhibiting signs of courtship/pair bonding behaviour, and it is considered highly likely that they were also nesting on site.

4 DISCUSSION & RECOMMENDATIONS

Little ringed plover are protected by the Wildlife and Countryside Act (1981) and are listed under schedule 1 of the act. They are protected by special penalties at all times from reckless or intentional actions, including disturbance whilst nest building or at (or near) a nest with eggs or young; or disturbance to dependent young of such a species. *It is therefore recommended that in order to prevent a breach of the relevant legislation, the site is not accessed by personnel for any reason until the nesting attempt is complete and the young birds have fledged and left the site.*

Little ringed plovers breed in the UK between the months of April and late June, although it should be noted that second broods are often attempted, especially where the original breeding attempt has failed, pushing the breeding period on into July. From mid August and September onwards little ringed plovers depart for their wintering grounds believed to be in sub-Saharan Africa, and do not return to the UK until mid March/early April of the following year.

Breeding habitats for little ringed plovers include river shingle areas in rivers, gravel pits, industrial sites and reservoir margins. *The relative abundance of post industrial sites in South Yorkshire has encouraged the population expansion of this species in recent years and the area would now be considered to be a stronghold for little ringed plover.*

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- <http://www.barnsleybiodiversity.org.uk/page17.html> (Accessed 09/07/10)

Web addresses for access to full UK legislation and policy text:

Conservation of Habitats and Species Regulations 2010:
http://www.opsi.gov.uk/si/si2010/uksi_20100490_en_1

Habitats Directive:
www.europa.eu.int/eur-lex/en/lif/dat/1992/en_392L0043

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