Brooks Ecological
Grounded advice

Our Ref: BE/P/1068/03 Date 05.04.12

Sophie Taylor
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Dear Sophie

Consultation Response - Ringstone Hill Farm, Brierley

In relation to the comments received today form Trevor Mayne at Barnsley BMC on the ecology report, we would provide the following clarification. Trevor's comments are reproduced in italic as headings to each section:

I was not able to see from the documents supporting the application what distance from the adjacent hedgerow the base of the turbine is to be placed. The Natural England guidance for the protection of bats commuting along hedgerows from turbine blades is 50m. The ecological report calculates that if the NE guidelines are strictly followed here the distance would be over 53m from the base of the turbine, but that as bat activity is low it could be less. Unless the distance is specified elsewhere, the applicant should make a statement to the LPA as to the distance the base will be from the hedgerow and in any case it should not be less than 50m.

The hedgerow adjacent to the site has been shown to very low numbers of bats - a fact detailed in our report BE-R-1068-01. Natural England's interim guidance provides a suggested stand-off of 50m from features where significant use is established, or where bats use is not known. In theory this stand-off could be applied to features used regularly by large numbers of several rare species of bats. In this instance occasional usage by very low numbers of a single common species of bat has been established through survey acknowledged as thorough.

It is suggested that in light of these findings the required stand-off from the hedgerow can be lessened according to the risk of potential offences.

- It is proposed that irrespective of stand-off there is no potential for offences relating to the disturbance of bats at this site.
- In light of the levels of use of this hedgerow by bats it is proposed that providing some stand-off would be sufficient to avoid offences relating to deliberate killing and injury.

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In line with the comments made the developer should advise on the stand-off from this hedgerow being applied.

The Planning and Design Statement refers to PPS9 but concentrates on SSSI's - this is selective and reference to other biodiversity aspects ought to have been made - such as non-statutory sites. It also notes at page 25 that the ecological report concludes that the development is not expected to impact on conservation sites, but this has not yet been demonstrated.

See comments below on local wildlife sites.

BE Brooks' ecological scoping assessment is dated September 2011 yet they have consulted Barnsley Biological Records Centre (BBRC) which was created in October 2011 so it is suspected that the report was updated.

Yes, at the request of the LPA ecologist.

At p2 of the report it is noted that information on non-statutory sites was not requested, which is a significant omission which would not be acceptable in future reports. However, in this case it happens that the omission is not significant and the surveyor has made good attempts to consult records holders elsewhere.

The two local Natural Heritage sites are Brierley Meadows and West Haigh Wood. We (as did the LPA ecologist in this instance) decided that these were not relevant to the report.

The attempt to elicit comment from Barnsley Bird Study Group should be detailed as it was a specific and clear request at pre-application stage with respect to migration routes for birds.

Pete Middleton at BBSG was contacted on 05/12/2011 and again on 11.01.12 a response has yet to be received.

The bat survey is very comprehensive. However, issue is taken with the comment that the application site does not form any part of any network of commuting habitat that bats would use - they are likely to use the hedgerow which forms the western boundary to the site

At this point of the report the area is being considered at a landscape scale in the hope of identifying good commuting routes which link good potential roosts and obvious foraging grounds. The site does not border any such routes - an assumption based on analysis of the landscape and borne out by later survey.

The ecological report discusses the bird data from BBRC and concludes that there is unlikely to be any significant impact on birds. However, the data on which this is based is not provided or even provided

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in an edited format so the conclusions cannot be checked. Details of the author's relevant experience and qualifications regarding bird assesments are not provided so it is felt that this section of the report is currently short of what is needed.

The ornithological assessment was made following a walkover visit of the site and analysis of desk study results received from BBRC. Given the results of these two sources of information along with additional map studies it was considered that sufficient understanding of the sites likely use by bird populations could be gleaned without the need for additional survey.

The survey and subsequent assessment were carried out by Tim Outlaw, Principal Ecologist and Lead Ornithologist at Brooks Ecological. Tim has over 20 years of bird survey experience including working at RSPB reserves and bird observatories throughout England and Scotland. He has extensive experience of a wide range of survey methods involving generic breeding (BBS/CBC/Brown Shepherd etc.) and wintering and passage birds (WeBS, walkover surveys etc.). He has been a professional consultant and full member of IEEM for almost ten years and has undertaken a great many ornithological assessments in this time including: large scale EIA's, Appropriate Assessments and dozens of large scale wind farm and turbine sites.

Finally, no mitigation measures are proposed by either the applicant or the ecological consultant. Once the further information regarding birds has been assessed the applicant should offer ecological mitigation and enhancement for bIodiversity in line with PPS9. This could include gapping up hedgerows with native broadleafed hedgerow species, but should be detailed

The recently published NPPF replaces PPS9 but (although more detail is awaited) does not remove the commitments of the NERC Act 2006. The NPPF addresses this in term of maintenance of ecological networks and the value of ecosystem services. Beating up of hedgerows would appear to fit within the spirit of this guidance.

We have not made recommendations to enhance the site in this instance as this would attract birds and bat to the turbine site - with the application boundary being so small. Any agreement to improve hedgerows away from the turbine site would be useful and would also help to demonstrate the operators commitment to keeping bats away from the turbine. This would however have to be achieved through an agreement to manage habitat outwith the planning boundary: this cold not be easily linked to the planning process.

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I hope this letter has set out the issues clearly, but please do let us know if any further clarification is required.

Best wishes



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Technical Director

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