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SMEEEDEN FOREMAN

Landscape Architecture • Ecology • Arboriculture

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Landscape Architecture • Ecology • Arboriculture

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EXECUTIVE SUMMARY

Smeeden Foreman Limited has been commissioned by PSL to undertake an ecological assessment of their site in Thurnscoe, Barnsley, South Yorkshire (central grid reference SE 4645 0533). The development proposals include the construction of four industrial units, with an associated access road, parking and soft landscaping.

This report includes a desk study of relevant information including designated nature conservation sites and existing records of protected species, and an initial site survey (extended phase 1 habitat survey).

Designated sites

There are no statutorily designated nature conservation sites and eleven non-statutorily designated sites within 2km of the proposals site. It is considered that there will be no adverse impact upon these designated sites as a result of the development due to a combination of the distance from the proposals site, intervening land-uses (roads and built – up areas) and the scale and nature of the proposals.

Habitats

The habitats within the proposals site are generally considered to be of low conservation value, predominantly comprising semi-improved grassland and amenity planting. The amenity planting is considered to be of some ecological value, as this provides suitable habitat for breeding and roosting bird species, and small mammals such as hedgehogs.

In order to protect habitats of ecological value present and ensure that the proposed development provides enhancement to wildlife, the following is recommended:

- The retention of the trees and shrub boundaries at the site where feasible, or replacement planting using native species;
- Use of temporary protective demarcation fencing to protect retained areas. The fencing must be in accordance with BS5837:2012 'Trees in Relation to Design, Demolition and Construction', extend outside the canopy of the retained trees, and remain in position until construction is complete;
- Use of directional lighting during construction, which will not shine upon the site boundaries or planting within the site;
- Implementation of a lighting scheme within proposals that minimises illumination of trees and areas of new planting to the boundaries of the site;
- Consideration of seeding of areas associated with tree planting with a suitable wildflower mix.

Species

The potential for the following protected and notable species to be affected by the development has been assessed, and the recommendations are as follows:

- Bats – habitat on site have limited suitability for foraging and commuting bats, with the site being isolated from other habitat of value to bats in the surrounding area. General mitigation for the site include the retention and enhancement of boundary habitats within the development, where feasible. Consideration should be given to the installation of bat roosting boxes on site, and any new lighting

should be appropriately designed including directional and low wattage to avoid illuminating the areas of planting, and any bat boxes installed.

- Breeding birds - Any vegetation clearance is to be undertaken outside the bird nesting period (March – August inclusive) or following a site check to establish the absence of active nests. General mitigation to include appropriate native species within the landscape proposals and the installation of bird boxes on site.
- Badger - Precautionary working methods are recommended to be adopted during construction works, which will include the covering, or providing a means of, to any trenches and capping any open pipework at the end of each working day, to prevent accidental harm to badger, or other mammals which may pass through the site.
- Hedgehog - Precautionary working methods are to be adopted including the removal of any tree/shrub cuttings from site, once vegetation is cut so as to avoid the creation of brash piles; these may be attractive to hedgehogs, which could subsequently be harmed if the brash pile is burnt or removed with machinery.
- Other species – The presence of great crested newt, otter, water vole, white clawed crayfish and reptiles is considered unlikely with no further survey recommended.

1.0 INTRODUCTION

- 1.1.1 Smeeden Foreman Limited has been commissioned by PSL to undertake an ecological assessment of their site in Thurnscoe, Barnsley, South Yorkshire (central grid reference SE 4645 0533), hereafter referred to as the 'site'.
- 1.1.2 This report will include the following information gathered by desk study and a site survey, including the following:
- Proximity to statutory and non-statutory designated sites;
 - Proximity to existing records of protected species; and,
 - Site habitat appraisal and potential to support protected species.
- 1.1.3 A review of the above information will be made to identify any features or sites of ecological interest which may be affected by the development proposals. Where potential impacts or protected species are identified the need for mitigation measures and requirements for further surveys will be discussed.
- 1.1.4 The report has been commissioned to inform a planning application for the construction of four industrial units, with an associated access road, parking and soft landscaping.

2.0 SITE DESCRIPTION

- 2.1.1 The site is located within the outskirts of Thurnscoe, which is a village in the metropolitan borough of Barnsley in South Yorkshire. The site is approximately 2.1 hectares, comprising grassland with amenity planting around the boundaries, with roads to the northern, southern and eastern sides. It is located within the centre of a small industrial estate, with warehouses and units situated to the north, south and west of the site, and an animal medical centre to the east. Refer to *Figure 01* below.
- 2.1.2 In the wider area there are built up residential areas to the north and west of the site, and to the south and east of the site there is Pheonix Park which comprises managed woodland and grassland. The site, surrounding industrial estate and park are situated where the former Hickleton Colliery once stood, which closed in the 1990's.



Figure 01: Aerial view of site location

3.0 PRINCIPLE LEGISLATION AND POLICIES

- 3.1.1 The national nature conservation legislation and policies that may be relevant to the proposed development are listed below. A brief explanation of the principle legislation and policies relating to nature conservation, biodiversity and ecology is provided in *Appendix 01*.

Principle Legislation and Policies

- Wildlife and Countryside Act 1981 (as amended)
- EC Habitats Directive (92/43/EEC)
- EC Birds Directive (79/409/EEC)
- Countryside and Rights of Way Act 2000
- Protection of Badgers Act 1992
- United Kingdom Biodiversity Action Plan (UKBAP)
- Natural Environment and Rural Communities Act (NERC), 2006 – Biodiversity Duty
- Hedgerow Regulations 1997
- National Planning Policy Framework (NPPF).

4.0 BASELINE INFORMATION

4.1 DESK STUDY

- 4.1.1 The ecological interest of the site and its surroundings has been investigated by a combination of the following:
- Field survey of the site and immediate surroundings including a phase 1 habitat survey;
 - Consultation with relevant bodies to obtain existing protected species records and statutory / non-statutory designated sites information within local area within 2km of the development site: Barnsley Biological Records Centre (BBRC), Doncaster Local Records Centre (DLRC), South Yorkshire Bat Group (SYBtG) and South Yorkshire Badger Group (SYBgG);
 - The UK Biodiversity Action Plan (UKBAP);
 - The Barnsley Biodiversity Action plan (LBAP);
 - Magic map, a government website for nature conservation information; and,
 - Aerial photographs.

4.2 NATURE CONSERVATION DESIGNATED SITES

Statutory Designations

- 4.2.1 There are no statutorily designated nature conservation sites within 2km of the proposals site boundary including Ramsar Sites, Special Protection Areas (SPA), Special Areas of Conservation (SAC) or and National Nature Reserves (NNR).

- 4.2.2 The site lies outside of any relevant Impact Risk Zone (IRZ) associated with more distant designated sites.

Non-statutory Designations

- 4.2.3 DLRC provided information on eleven non-statutorily designated sites within 2km of the proposals site. No non-statutory sites were identified within the BBRC region. The sites identified are detailed in *Table 01* below with additional descriptions of their corresponding designations.
- 4.2.4 Refer to *Appendix 02* which shows the locations of the designated sites in relation to the application site.

Table 01: Non-statutorily designated sites within 2km

Site Code	Site Name	Designation	Grid ref.	Location from site (closest point)	Notes
6.08a, b & c	First, Second and Third Plantations	LWS ^[1]	SE 479071	1.9km north east	Three linear semi-natural broadleaved woodlands
6.26	Bilham Park and Summer House Plantation	LWS ^[1]	SE 485063	1.8km north east	Broadleaved plantation woodland
6.29	Hickleton Spring	LWS ^[1]	SE 478061	1.5km north east	Broadleaved and mixed plantation woodland
6.31	Calf Croft	LWS ^[1]	SE 475056	0.9km north east	Broadleaved plantation woodland
6.32	Castle Hill, Hickleton	LWS ^[1]	SE 480055	1.4km east	Broadleaved plantation woodland
6.28	The Wilderness	LWS ^[1]	SE 478065	1.8 km north east	Broadleaved plantation woodland
6.66	Hickleton Golf Course	LWS ^[1]	SE 479057	1 km north east	Golf course with hedgerows, broadleaved woodland and meadow areas
6.34	Hickleton Park	LWS ^[1]	SE 480046	1.3km south east	Broad-leaved plantation woodland, scattered trees, semi-improved neutral grassland, standing water eutrophic, amenity grassland
6.30	Shrogs Plantation	LWS ^[1]	SE 480057	1.5km north east	Broadleaved plantation woodland
6.73	Watchley Craggs	LGS ^[2]	SE 476 068	1.7km north east	Disused quarries, pits and cuttings
6.33	Hickleton Marl Pits	cLWS ^[3]	SE 484054	1.9km west	Two former marl pits now used for fishing, neutral grassland vegetation.

^[1] Local Wildlife Sites (LWS) are areas identified and selected locally for their wildlife value. The designation is non-statutory but is recognition of a site's significance with many LWS being of county and

often regional importance for wildlife. Examples range from field ponds, streams and reed beds, to ancient woodlands, flower-rich meadows and hedgerows. This designation is equivalent to a SINCS. This designation is used by local authorities to allow the ecological value of a site to be considered within the planning system.

^[2] Local Geological Sites (LGS) are areas identified as being important for their geological features.

^[3] Candidate Local Wildlife Sites (cLWS) are sites under review for their wildlife value and potential to be a Local Wildlife Site.

4.3 BIODIVERSITY ACTION PLANS

National Biodiversity Action Plan

- 4.3.1 The UK Biodiversity Action Plan (UK BAP) identifies priority species and habitats which are those considered to be the most threatened and therefore most in need of conservation action. The lists were updated in 2007 to include 1150 species and 65 habitats.
- 4.3.2 The site does not include any UKBAP priority habitats but provides potential habitat for a range of birds, bats and hedgehog.
- 4.3.3 UKBAP priority species recorded within 2km of the site are included in section 4.4.5.

Local Biodiversity Action Plan

- 4.3.4 Habitat types for which action plans have been prepared for Barnsley LBAP include:
- Woodland – mixed deciduous woodland, upland oakwood, wet woodland, wood pasture and parkland, traditional orchards.
 - Hedgerows
 - Arable field margins
 - Grassland – lowland dry acid grassland, neutral grassland or lowland meadow, floodplain grazing marsh, purple moor grass and rush pasture, all unimproved and semi-improved grassland, amenity grassland.
 - Heathland – upland heathland, lowland heathland
 - Blanket bog
 - Wetlands – reedbed, lowland fen, upland flushes, fens and swamps.
 - Running water, rivers and streams.
 - Standing water and ponds
 - Open mosaic on previously developed land.
- 4.3.5 Habitats which occur on site include semi-improved grassland.
- 4.3.6 Species for which action plans have been prepared for Barnsley LBAP include:
- Hedgehog
 - Bats
 - Water vole
 - Otter
 - Grey partridge
 - Bittern
 - Kestrel
 - Little ringed plover
 - Lapwing
 - Barn owl
 - Skylark

- Tree Sparrow
- Twite
- Great crested newt
- Salmon
- Bullhead
- White-clawed crayfish
- Glow worm
- Dingy skipper
- Bluebell

4.3.7 It is considered that the site may be utilised by commuting and foraging bats, hedgehog, tree sparrow and lapwing.

4.4 EXISTING SPECIES RECORDS

4.4.1 Existing biological records were provided following consultation with Barnsley Biological Records Centre (BBRC), Doncaster Local Records Centre (DLRC), South Yorkshire Bat Group (SYBTG) and South Yorkshire Badger Group (SYBgG). The records detailed in the following tables are those in closest proximity to the proposed development site within the 2km search area, or most recent record where grid references are limited. Full details of badger records have been omitted for confidentiality purposes. The raw data provided was extensive and is therefore not appended to the report but a copy can be provided on request.

Table 02: BBRC - Protected species records within 2km

Species	Grid reference	Notes
Great crested newt <i>Triturus cristatus</i>	SE 466038	4 records Closest record: 1.5km south, pond adj.to Barnburgh Lane, 1 male, 26/05/2011
Common pipistrelle <i>Pipistrellus pipistrellus</i>	SE 4623 0433 SE 457051	13 records Closest records: 1km south, Goldthorpe Primary School, day roost demolished under BLICL, 08/06/2016 0.7km south west, 13 Thurnscoe Grove, roost exit count 187 by householder, 17/07/1993
Noctule <i>Nyctalus noctula</i>	SE 4623 0433	2 records Closest record: 1km south, Goldthorpe Primary School, demolished under BLICL, 14/04/2016
Whiskered bat <i>Myotis mystacinus</i>	SE40	1 record, limited grid reference (to 10km grid square), Dearne Enterprise Centre, 1 in building, 09/08/1992
Unknown bat species <i>Chiroptera</i>	SE 463046	3 records Closest record: 0.7km south, Lockwood Road, grounded bat, 18/04/2005
Avocet	SE40	4 records

<i>Recurvirostra avosetta</i>		Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 22/06/2011
Barn owl <i>Tyto alba</i>	SE 4604	11 records Closest/most recent record: limited grid reference (to 1km grid square), Goldthorpe, 18/10/2011
Bittern <i>Botaurus stellaris</i>	SE40	1 record, limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 07/02/2009
Brambling <i>Fringilla montifringilla</i>	SE40	7 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 18/01/2011
Black-necked grebe <i>Podiceps nigricollis</i>	SE40	3 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 22/06/2011
Black redstart <i>Phoenicurus ochruros</i>	SE40	1 record, limited grid reference (to 10km grid square), Wath Main Colliery, 30/04/1986.
Black-tailed godwit <i>Limosa limosa</i>	SE40	15 records Closest/most recent record: limited grid reference (to 10km grid square), Adwick Washlands, 19/05/2010.
Black tern <i>Chlidonias niger</i>	SE40	1 record, limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 02/09/2007
Fieldfare <i>Turdus pilaris</i>	SE4605	15 records Closest record: limited grid reference (to 1km grid square), Pheonix Park & Reservoir Thurnscoe, 13/10/2009.
Firecrest <i>Regulus ignicapilla</i>	SE40	1 record, limited grid reference (to 10km grid square), River Dearne Valley wetlands, 21/11/2007
Garganey <i>Anas querquedula</i>	SE40	6 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 27/03/2011
Green Sandpiper <i>Tringa ochropus</i>	SE40	28 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 21/08/2011
Greenshank <i>Tringa nebularia</i>	SE40	18 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 21/08/2011

Hobby <i>Falco subbuteo</i>	SE40	3 records Closest/most recent record: limited grid reference (to 10km grid square), Adwick Washlands, 04/05/2011
Kingfisher <i>Alcedo atthis</i>	SE40	20 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 09/12/2009
Little Ringed Plover <i>Charadrius dubius</i>	SE40	40 records Closest/most recent record: limited grid reference (to 10km grid square), Little Houghton Ings, 21/04/2012
Marsh harrier <i>Circus aeruginosus</i>	SE40	2 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 08/08/2009
Mediterranean Gull <i>Larus melanocephalus</i>	SE40	7 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 22/06/2011
Merlin <i>Falco columbarius</i>	SE40	1 record, limited grid reference (to 10km grid square), wetlands area comprising Wombwell, Broomhill and Old Moor, 26/01/1999
Osprey <i>Pandion haliaetus</i>	SE4604	1 record, limited grid reference (to 1km grid square), Goldthorpe, 13/09/2011
Peregrine <i>Falco peregrinus</i>	SE40	4 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 11/10/2009
Purple Sandpiper <i>Calidris maritima</i>	SE40	1 record, limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 11/11/2007
Redwing <i>Turdus iliacus</i>	SE4605	21 records Closest/most recent record: limited grid reference (to 1km grid square), Pheonix Park & Reservoir, Goldthorpe, 03/10/2007
Ruff <i>Philomachus pugnax</i>	SE40	17 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 21/08/2011
Wood sandpiper <i>Tringa glareola</i>	SE40	2 records Closest/most recent record: limited grid reference (to 10km grid square), Old Moor & Wath Ings LWS/RSPB, 21/08/2011

Table 03: DLRC - Protected species records within 2km

Species	Grid reference	Notes
Badger	Confidential	1 record, 1.6km from the site, badger sett
Barn owl	SE4705	1 record, limited grid reference to 1km grid square, Hickleton Golf, 2005
Bluebell <i>Hyacinthoides non-scripta</i>	SE475056	48 records Closest record: 1km north east, Calf Croft LWS, locally abundant count of DAFOR, 21/04/2016
Brown long-eared bat <i>Plecotus auritus</i>	SE482052	1 record, 1.7km east, Hickleton Hall, roost, count of 47 adults, 10/08/2009
Fieldfare	SE4705	1 record, limited grid reference to 1km grid square, Hickleton Golf, 2005
Grass snake <i>Natrix helvetica</i>	SE475056	5 records Closest record: 1km north east, Calf Croft, 2012
Great crested newt	SE4664703854	1 record, 1.5km south, count of 1 adult female, Goldthorpe, 11/03/2018
Kingfisher	SE4705	1 record, limited grid reference to 1km grid square, Hickleton Golf, 2005
Red kite <i>Milvus milvus</i>	SE4705	1 record, limited grid reference to 1km grid square, Hickleton Golf, August 2012
Redwing	SE4705	1 record, limited grid reference to 1km grid square, Hickleton Golf, 2005
Unknown pipistrelle bat	SE482052	2 records Closest records: 1.7km east, Hickleton Hall, Colony found whilst examining roof timbers - inside roof, August 1978
Whiskered bat <i>Myotis mystacinus</i>	SE482052	2 records Closest record: 1.7km east, Hickleton Hall, killed by a cat, 16/05/1988

Table 04: SYBtG - Bat species records within 2km

Species	Grid reference	Notes
Brown long-eared	SE481052	3 records Closest record: 1.6km east, roost count of 29, Linenfold in Stableblock, Hickleton Hall, 09/07/2013
Common pipistrelle <i>Pipistrellus pipistrellus</i>	SE463045	9 records Closest record: 0.8km south, flying in bedroom, Lockwood Road, Goldthorpe 18/04/2005

Daubenton's <i>Myotis daubentonii</i>	SE482051	3 records Closest record: 1.7km east, roost count of 67, coal store, Hickleton Hall, 10/07/2013
Natterer's <i>Myotis nattereri</i>	SE483050	2 records Closest record: 1.8km east, roosting confirmed by DNA of bat droppings, South Tower, Hickleton Hall, 06/06/13
Noctule <i>Nyctalus noctula</i>	SE462043	4 records Closest record: 1km south, demolished under BLICL - Schwegler bat box erected, Doncaster Road, Goldthorpe, 08/06/16
Whiskered	SE 448057	2 records Closest record: 1.6km north west, bat care/callout - released, 04/07/2016
Soprano pipistrelle <i>Pipistrellus pygmaeus</i>	SE48450693	1 record, 2.4km north west, foraging in woodland, 29/07/2011
Unknown pipistrelle <i>Pipistrellus sp.</i>	SE457051	22 records Closest record: 0.7km south west, count of 187, Turnesc Grove, Thurnscoe, 17/07/1993
Unknown Myotis <i>Myotis sp.</i>	SE48450693	1 record, 1 record, 2.4km north west, foraging in woodland, 29/07/2011
Unknown bat species <i>Vespertilionidae</i>	SE457051	5 records Closest record: 0.7km south west, count of 138, Turnesc Grove, Thurnscoe, 04/07/1993

- 4.4.2 SYBgG provided records of six badger setts within 2km of the site, the closest being over 1.6km from the site boundary.
- 4.4.3 No European Protected Species Applications were identified within the 2km search area. The location of the nearest EPS licence is approximately 3.2km north east of the proposals site (e.g. reference 2017-32272-EPS-MIT for natterer's bat).
- 4.4.4 Non-native invasive species included on Schedule 9 of the Wildlife and Countryside Act 1981 which have been recorded within 2km of the proposals site include Japanese knotweed.
- 4.4.5 Records of priority UK Biodiversity Action Plan species within 2km of the study area were provided for the following species:

Amphibians: common toad, great crested newt.

Birds: bittern, hawfinch, cuckoo, grasshopper warbler, spotted flycatcher, house sparrow, tree sparrow, grey partridge, turtle dove, ring ouzel, yellow hammer, reed bunting, wood warbler, lapwing, curlew, yellow wagtail, lesser redpoll.

Insects: small heath, wall butterfly, dingy skipper, shaded broad-bar, latticed heath, cinnabar, ghost moth, blood vein moth, white letter hairstreak.

Plants: grape-hyacinth, lesser butterfly-orchid.

Mammals: hedgehog, brown hare, brown long-eared bat.

Reptile: grass snake.

- 4.4.6 In addition to those species listed above, records within 2km of the following species which have been afforded local action plans by Barnsley Council (refer to section 4.3.5 above) include the following: bats, grey partridge, bittern, kestrel, little ringed plover, lapwing, barn owl, skylark and bluebell.

4.5 SITE SURVEY – PHASE 1 HABITAT SURVEY

Methodology

- 4.5.1 A walk over survey was undertaken by Senior Ecologist Jessica Eyre on 10th October 2018. Habitat types and key species were noted and are presented in the Phase 1 Habitat format proposed by the Joint Nature Conservation Committee (2010), refer to *Figure 02* for corresponding target notes (TN).
- 4.5.2 The survey was undertaken in warm, dry and sunny conditions, at a time of year outside of the optimal survey season. Due to the habitats type recorded at the site survey timing is not considered to affect the survey results, therefore no further habitat surveys are required within the optimal survey season.

Results

Semi-improved grassland

- 4.5.3 The site is predominantly semi-improved grassland which is of low value, comprising grass and forb species typical of wasteland habitats (TN1). Grass species include fescue *Festuca sp.*, perennial rye grass *Lolium perenne*, cock's foot *Dactylis glomerata* and bent *agrostis* spp. Forb species include abundant birdsfoot trefoil *Lotus corniculatus*, common daisy *Bellis perennis*, and yarrow *Achillea millefolium*, frequent red clover *Trifolium pratense*, ribwort plantain *Plantago lanceolata*, greater plantain *P. major*, dove's-foot crane's-bill *Geranium molle*, dandelion *Taraxacum officinale* and creeping buttercup *Ranunculus repens*, locally frequent perforate St John's-wort *Hypericum perforatum*, occasional tufted vetch *Vicia cracca*, ragwort *Jacobaea vulgaris*, smooth cat's ear *Hypochaeris glabra*, spear thistle *Cirsium vulgare*, creeping thistle *C. arvense*, toadflax *Linaria sp.*, smooth hawksbeard *Crepis capillaris* and autumn hawkweed *Hieracium sabaudum*, and rarely occurring goat's-rue *Galega officinalis*, teasel *Dipsacus fullonum*, colt's foot *Tussilago farfara*, and evening primrose *Oenothera biennis*.

Scattered trees/saplings

- 4.5.4 Within the grassland there are a small number of scattered semi-mature trees/saplings within the centre and in association with the site boundaries. Species include hawthorn *Crataegus monogyna*, rowan *Sorbus aucuparia* and rose *Rosa sp.* To the eastern boundary there is also a small group of semi-mature trees including silver birch *Betula pendula* and a coppiced hazel *Corylus avellana*, and to the western boundary is a large buddleia *Buddleja davidii*.

Amenity planting

- 4.5.5 The northern, eastern and southern boundaries of the site comprise introduced amenity planting.
- 4.5.6 The southern and south eastern boundaries (TN2) are predominantly planted with cotoneaster *Cotoneaster sp.*, with non-native maple *Acer sp.* placed at regular intervals and other non-native shrub species occurring occasionally. Other species

recorded include occasional traveller's joy *Clematis vitalba*, bramble *Rubus fruticosus*, teasel, rosebay willowherb *Chamaenerion angustifolium*, goat's-rue and dogwood *Cornus sanguinea*.

- 4.5.7 The northern boundary is marked by semi-mature trees, saplings and shrubs (TN3), comprising a mixture of native and non-native species. The tree and shrub species include cotoneaster, hawthorn, rose, ash *Fraxinus excelsior*, broom *Cytisus scoparius*, sycamore *Acer pseudoplatanus*, non-native sycamore, goat willow *Salix caprea*, elder *Sambucus nigra*, hazel and buddleia. The ground flora species include bramble, cleavers *Galium aparine*, yarrow, common daisy, creeping cinquefoil *Potentilla reptans*, goat's rue, teasel, nettle *Urtica dioica*, dock *Rumex sp.*, common hogweed *Heracleum sphondylium*, bindweed *Convolvulaceae sp.*, garlic mustard *Alliaria petiolata*, rosebay willowherb and mugwort *Artemisia vulgaris*.

Fauna

- 4.5.8 During the survey the following bird species were recorded: blackbird *Turdus merula*, robin *Erithacus rubecula*, and wren *Troglodytes troglodytes*. There were also signs of rabbit utilising the site including large collections of droppings in the centre of the site and heavily grazed vegetation within the grassland habitat, however no burrows were noted.

4.5.9 Photographs



Image 01: Semi-improved grassland



Image 02: Scattered semi-mature trees



Image 03: Southern boundary amenity planting



Image 04: Eastern boundary amenity planting



Image 05: Northern boundary amenity planting



Image 06: Evidence of rabbit droppings and grazing.

Conclusion

- 4.5.10 The grassland on site appears to be closely cropped (due to grazing rabbits), therefore it is of limited botanical value, however it is relatively diverse with some species indicative of neutral grassland which may have value to invertebrates.
- 4.5.11 The plant communities at the site are of widespread occurrence and are characteristic of the habitats present in the wider area and common nationally. No rare or locally uncommon plant species or invasive species as listed under the Wildlife and Countryside Act 1981 (as amended) were detected at the site.

5.0 IMPLICATIONS/RECOMMENDATIONS

5.1 NATURE CONSERVATION DESIGNATED SITES

- 5.1.1 There are no statutorily designated nature conservation sites and eleven non-statutorily designated sites within 2km of the proposals site.
- 5.1.2 It is considered that there will be no adverse impact upon these designated sites as a result of the development due to a combination of the distance from the proposals site, intervening land-uses (roads and built –up areas) and the scale and nature of the proposals.

5.2 HABITATS

- 5.2.1 The grassland is relatively diverse with some species indicative of neutral grassland which may have value to invertebrates, and the amenity planting is considered to be of some ecological value, as this provides suitable habitat for breeding and roosting bird species, and small mammals such as hedgehogs.
- 5.2.2 In order to protect habitats of ecological value present and ensure that the proposed development provides enhancement to wildlife, the following is recommended:
- The retention of the trees and shrub boundaries at the site where feasible, or replacement planting using native species;
 - Use of temporary protective demarcation fencing to protect retained areas. The fencing must be in accordance with BS5837:2012 'Trees in Relation to Design, Demolition and Construction', extend outside the canopy of the retained trees, and remain in position until construction is complete;
 - Use of directional lighting during construction, which will not shine upon the site boundaries, hedgerows or trees within the site;
 - Implementation of a lighting scheme within proposals that minimises illumination of trees and areas of new planting to the boundaries of the site.
 - Reference can be made to the Bat Conservation Trust publication 'Artificial Lighting and Wildlife' (2014);
 - Consideration of seeding of areas associated with tree planting with a suitable wildflower mix, to mitigate for the loss of grassland habitat.

5.3 PROTECTED SPECIES

- 5.3.1 Refer to *Appendix 03* for relevant species legislation.
- Great Crested Newts*
- 5.3.2 No areas of standing water occur within the site and habitats present are largely considered to be unsuitable for great crested newt (GCN) and other amphibian species during their terrestrial phase, predominantly comprising semi-improved grassland which is heavily grazed by rabbits and amenity tree and shrub planting.
- 5.3.3 From consultation with the local records centres no records of GCN were provided within 500m of the proposals site. The closest and most recent record is located approximately 1.5km to the south of the site (count of 1 adult female, Goldthorpe, 11/03/2018).

- 5.3.4 From consulting an OS base of the site there is one waterbody within 500m of the site, however this is managed fishing lake (Thurnscoe Reservoir, approximately 220m to the north of the site), which is known to contain a variety of fish species including roach, perch, bream, pike and various types of carp. The presence of fish can significantly reduce the wildlife value of a pond, and are known to predate on GCN eggs and larva, therefore the likelihood of GCN being present is unlikely. In addition to this there are roads between this waterbody and the site (Lidget Lane, Phoenix Lane and The Windings) which provide a degree of habitat severance between the two areas for amphibians.
- 5.3.5 Due to the lack of records and the unsuitability of waterbodies within 500m the potential for habitat on site to support GCN is considered to be low to negligible. Consequently, no adverse impact upon this species is anticipated as a result of the proposed development works and no further assessment for this species is considered necessary.

Bats

- 5.3.6 Bat species recorded within 2km of the proposals site include field and roost records relating to brown long-eared, common pipistrelle, Daubenton's, natterer's, noctule, whiskered, soprano pipistrelle, unknown pipistrelle, unknown *Myotis*, and unknown bat species. The closest of these records being common pipistrelle (0.7km south, roost count of 187, 17/07/1993, and 0.8km south, flying in a bedroom, 18/04/2005), noctule (1km south, roost, 14/04/2016), unknown pipistrelle (0.7km south west, roost, 17/07/1993) and unknown bat (0.7km south, grounded, 18/04/2005).
- 5.3.7 The tree and shrub planting along the boundaries on site provide some suitable habitat for foraging and commuting bats, however this is considered to be low quality and is limited for this species as it is illuminated by adjacent street lighting in all directions, and the site is predominantly isolated from other habitat of value to bats in the surrounding area. It is recommended the boundary habitats are retained within the development, where feasible. To enhance these linear features, it is recommended that existing planting is strengthened with additional native tree/shrub planting and where possible, with the seeding of tree understoreys with an appropriate wildflower seed mix.
- 5.3.8 Consideration should be given to the installation of bat roosting boxes on site to enhance site biodiversity in line with the National Planning Policy Framework (NPPF).
- 5.3.9 Any new lighting should be appropriately designed including directional and low wattage to avoid illuminating the areas of planting. Reference should be made to the Bat Conservation Trust publication '*Artificial Lighting and Wildlife*' (2014) which includes the following guidelines:
- Using warm white to cool white, narrow spectrum lights with little or no UV;
 - Low wattage (eg 20W);
 - Directional lighting with near full horizontal cut off, mounted at a low height;
 - Minimum height columns at maximum spacing.
- 5.3.10 The retention and enhancement of boundary trees/vegetation and a sympathetic lighting scheme will avoid impacts on foraging and commuting bats by preventing the illumination of these features, therefore impacts on foraging and commuting bats will be low-negligible.

- 5.3.11 In addition to this, any landscaping around the proposed development should aim to enhance the site for the local bat population and other local wildlife, to maintain linkages to adjacent habitats and increase biodiversity. Providing a variety of berry, nut-bearing and flowering trees, shrubs and plants would offer year-round interest for a range of invertebrates, and as such provide feeding opportunities for the local bat population.

Breeding Birds

- 5.3.12 Bird species recorded during the walkover survey included blackbird, robin and wren. Trees and shrubs at the site boundaries are likely to be used by all these species and local breeding and roosting bird populations in general.
- 5.3.13 All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended) during breeding. It is therefore recommended that any vegetation clearance takes place outside the bird nesting period (March – August inclusive) unless checks by an appropriately qualified ecologist find active nests to be absent immediately prior to clearance works. If nesting birds are identified advice will be sought. The advising ecologist will issue guidance in relation to the protection of the nesting birds in conjunction with the scheduled works. Measures such as applying a set boundary around the nest may be necessary until the young birds have fledged.
- 5.3.14 Sympathetic management of existing and newly planted trees and shrubs should be considered to avoid disturbance to breeding birds. This involves the avoidance of management during the active season March – August and preferably only to be carried out during January and February when the berry crop is mostly finished to benefit species during winter.
- 5.3.15 There are records of UK BAP and LBAP bird species within 2km of the site including house sparrow and tree sparrow. To enhance the site for colony nesters such as house sparrow and hedgerow/tree nesters such as dunnock and tree sparrow, consideration should be given to the installation of species-specific bird boxes onto retained trees/new buildings within the site. The sowing of suitable wild bird seed mixtures under cover of existing tree and shrub planting will aim to boost seed production, an important source of food for species of conservation concern such as tree sparrow/yellowhammer and wildlife in general.
- 5.3.16 The inclusion of native berry-bearing tree and shrub species within planting proposals will benefit thrush species and breeding/wintering bird populations in general. Particular consideration should be given to the incorporation of berry-bearing species such as rowan, guelder-rose *Viburnum opulus*, holly *Ilex aquifolium*, hawthorn, blackthorn and ivy as a climber.

Badger

- 5.3.17 No signs of badger were recorded within or adjacent to the site during the survey and no records of badger were provided within a 1km radius of the site. However, due to the presence of suitable habitat in the surrounding local area it is anticipated that this species may access the site for foraging and commuting purposes. Precautionary working methods are therefore recommended to be adopted during construction works, which will include the covering, or providing a means of, to any trenches and capping any open pipework at the end of each working day, to prevent accidental harm to badger, or other mammals which may access the site.

Other protected species

- 5.3.18 Due to the lack of records for otter, water vole, white clawed crayfish and reptiles within the surrounding area, and the lack of suitable habitat for these species, their presence is considered unlikely. No adverse impact upon such species is anticipated as a result of the proposed development.

5.4 NOTABLE SPECIES

Hedgehog

- 5.4.1 Records within 2km of the site included hedgehog and some habitats on site, such as amenity planting, are considered to be suitable for this species. Precautionary working methods will therefore be adopted to ensure hedgehogs are not harmed/killed during works. Such works would include the removal of any tree/shrub cuttings from site, once vegetation is cut so as to avoid the creation of brash piles; these may be attractive to hedgehogs, which could subsequently be harmed if the brash pile is burnt or removed with machinery. In addition, any trenches created on site will be covered or a means of escape shall be provided and any open pipe work will be capped at the end of each working day.
- 5.4.2 To enhance the site for hedgehog, it is recommended that small gaps (0.15m) are left under sections of new fencing/walls within the development to allow passage of hedgehog and maintain connectivity across the site.

6.0 CONCLUSIONS

- 6.1.1 The grassland on site is relatively diverse with some species indicative of neutral grassland which may have value to invertebrates, and the amenity planting is considered to be of some ecological value, as this provides suitable habitat for breeding and roosting bird species, and small mammals such as hedgehogs.
- 6.1.2 No potential for protected species have been identified, such that no further survey is considered necessary.
- 6.1.3 General mitigation for the site include following:
- The retention and enhancement of boundary habitats within the development, where feasible, or replacement planting using native species, with the seeding of tree understoreys with an appropriate wildflower seed mix;
 - Consideration should be given to the installation of bat and bird boxes on site, and any new lighting should be appropriately designed including directional and low wattage to avoid illuminating the areas of planting;
 - Any vegetation clearance is to be undertaken outside the bird nesting period (March – August inclusive) or following a site check to establish the absence of active nests.
 - Precautionary working methods are recommended to be adopted during construction works, which will include the covering, or providing a means of, to any trenches and capping any open pipework at the end of each working day, to prevent accidental harm to badger, or other mammals which may pass through the site.
 - Precautionary working methods are to be adopted including the removal of any tree/shrub cuttings from site, once vegetation is cut so as to avoid the creation of brash piles; these may be attractive to hedgehogs, which could subsequently be harmed if the brash pile is burnt or removed with machinery.

7.0 REFERENCES

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FIGURES

- 7.1.1 Figure 01: Aerial view of site location (within report)
- 7.1.2 Figure 02: Phase 1 Habitat Map

FIGURE 02: PHASE 1 HABITAT SURVEY MAP



APPENDICES

- 7.1.3 Appendix 01: Principle Legislation and Policies
- 7.1.4 Appendix 02: Designated Site Map
- 7.1.5 Appendix 03: Protected Species Legislation

APPENDIX 01: PRINCIPLE LEGISLATION AND POLICIES

Principle Legislation

Wildlife and Countryside Act 1981 (as amended)

This is the primary legislation for nature conservation in England and Wales. It confers varying degrees of protection on selected species according to their conservation status, ranging from making it an offence to take a species from the wild for profit, to full protection of a species and its habitat. The Act also gives guidance and instruction on statutory sites, such as sites of Special Scientific Interest (SSSI). License exempting specific works can be granted by Natural England. Such licenses are only granted once a full assessment has been made and an appropriate, sustainable mitigation package devised.

Protection of Badgers Act 1992

Allied to the Wildlife and Countryside Act, 1981 are subsidiary Acts such as the Protection of Badgers Act, 1992 which consolidated and added to previous legislation. According to the PBA it is an offence to wilfully kill, injure or maim a badger. Badger setts are also protected from interference unless such activities are licensed through Natural England. Any mitigation packages devised for badgers found on development sites must be agreed by Natural England and all mitigation activities must be fully licensed.

Countryside and Rights of Way Act 2000

As well as providing measures to improve countryside access for walkers, ramblers and horse riders, this Act also strengthens the protection of species and designated sites made in the Wildlife and Countryside Act 1981. This Act also gives the importance of biodiversity conservation statutory basis requiring government departments to have regard for biodiversity in carrying out their functions, and to take positive steps to further the conservation of listed species and habitats.

Natural Environment and Rural Communities Act (NERC), 2006 – Biodiversity Duty

NERC received royal assent in March 2006. Section 40 of the Act replaces and extends a duty, from Section 74 of the Countryside and Rights Of Way Act 2000, on Ministers and Government which already requires them to have regard to the purpose of conserving biodiversity. Section 40(1) states that, "*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.*"

EC Habitats Directive (92/43/EEC)

This Directive aims to give Europe-wide protection to certain rare and threatened habitats on land and at sea. It builds on legislation already established under the Birds Directive of 1979, and aims to establish a series of protected sites known as Natura 2000 series. These sites are intended to protect the unique and special wildlife of Europe and to preserve it for future generations. In Britain these Natura 2000 sites include those areas designated as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). The Habitats Directive is implemented in the UK through the Conservation of Habitats and Species Regulations 2010.

EC Birds Directive (79/409/EEC)

The Directive provides a framework for the conservation and management of, and human interactions with, wild birds in Europe. It sets broad objectives for a wide range of activities, although the precise legal mechanisms for their achievements are at the discretion of each Member State (in the UK delivery is via several different statutes). The Directive applies to the UK and to its overseas territory of Gibraltar.

The main provisions of the Directive include:

The maintenance of the favourable conservation status of all wild bird species across their distributional range with the encouragement of various activities to that end;

The identification and classification of Special Protection Areas (SPAs) for the rare and vulnerable species listed in Annex I of the Directive, as well as for all regularly occurring migratory species, paying particular attention to the protection of wetlands of international importance;

The establishment of a general scheme of protection for all wild birds; Restrictions on the sale and keeping of wild birds.

The Hedgerow Regulations 1997

The Hedgerow Regulations 1997 were made under Section 97 of the Environment Act 1995 and came into force in 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside, by controlling their removal through a system of notification. Important hedgerows are defined by complex assessment criteria, which draw on biodiversity features, historical context and the landscape value of the hedgerow.

For species-specific legislation, please refer to **Appendix 03** for further information.

Policy

National Planning Policy Framework (2012)

The National Planning Policy Framework replaces Planning Policy Statement 9 (PPS 9) Biodiversity and Geological Conservation but the accompanying guidance document (ODPM 06/2005: Biodiversity and Geological Conservation-Statutory Obligations and their impact within the Planning System) has not been withdrawn.

The NPPF sets out the Government's policies on the protection of biodiversity and sites of geological interest through the planning system. It required local planning authorities, when taking decisions, to ensure that appropriate weight is attached to designated sites of international, national and local importance, protected species and to biodiversity and sites of recognised geological interest within the wider environment. It states:

"The planning system should contribute to and enhance the natural and local environment by:

Protecting and enhancing values landscapes, geological conservation interests and soils;

Recognising the wider benefits of ecosystem services;

Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

"When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

If significant harm 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."

Biodiversity Action Plan (BAP)

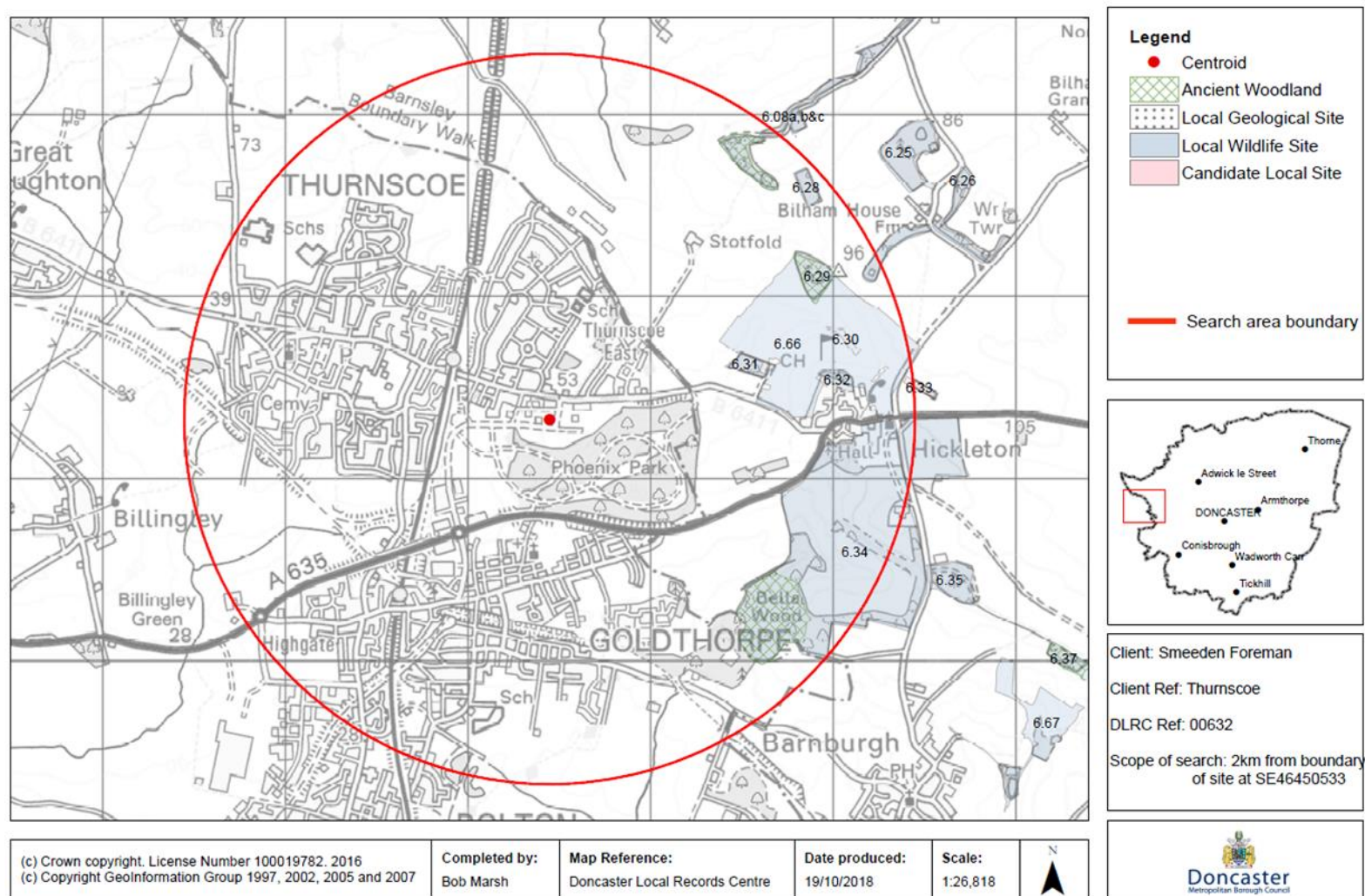
In 1993, the UK government consulted over three hundred organisations throughout the UK and held a two day seminar to debate the key issues raised at the Convention of Biological Diversity. The product of this was the launch of Biodiversity: the UK Action Plan in 1994 which outlined the UK Biodiversity Action Plan for dealing with biodiversity conservation in response to the Rio Convention.

The UK Biodiversity Steering Group was created in 1994 and published Biodiversity: the UK Steering Group Report – meeting the Rio challenge. This established the framework and criteria for identifying species and habitat types of conservation concern.

From this list, action plans for 391 species and 45 broad habitat types were produced. As well as having national priorities and targets, action was also taken at a local level. The Steering Group drew up a set of guidelines that were discussed with the Local Authority Association and the Local Government Board.

Today there are 162 Local Biodiversity Action Plans in the UK. A review of the UK BAP was undertaken between 2003 and 2006.

APPENDIX 02: DESIGNATED SITES MAP



APPENDIX 03: PROTECTED SPECIES LEGISLATION

Bats

Bats and their roosts are afforded full legal protection under both UK and European legislation. The Conservation (Natural Habitats & c.) Regulations 1994 (as amended, 2017) transpose the Habitats Directive into UK law, making it an offence to:

- deliberately disturb a bat;
- deliberately kill, injure or capture a bat;
- damage, destroy or obstruct access to a breeding site or resting place (note this applies to both deliberate and reckless actions).

The Wildlife and Countryside Act 1981 (as amended) (Schedule 5) made it an offence to:

- intentionally kill, injure or take a bat ;
- damage, destroy or obstruct a bat roost *;
- disturb a bat at a roost *;
- possess or control a bat or any part thereof;
- sell, offer for sale, possess or transport for sale any bat or part thereof;
- set traps for catching, killing or injuring bats;
- possess articles for the purposes of committing offences against bats;

[*= intentional and reckless offences covered].

This protection applies whether bats are present within the roost at the time or not.

Great crested newts

The Wildlife and Countryside Act 1981 (as amended) transposes into UK law and the Convention on the Conservation of European and Wildlife and Natural Habitats (commonly referred to as the 'Bern Convention'). The 1981 Act was amended by the Countryside and Rights of Way ['CRoW'] Act 2000.

The great crested newt is listed on Schedule 5 of the 1981 Act, and is therefore subject to the provisions of Section 9, which make it an offence to:

- Intentionally kill, injure or take a great crested newt [Section 9 (1)];
- Possess or control any live or dead specimen or anything derived from a great crested newt [Section 9 (2)];
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt [Section 9 (4)(a)];
- Intentionally or recklessly disturb a great crested newt while it is occupying a structure or place which it uses for that purpose [Section 9(4)(b)].

The Conservation (Natural Habitats & Countryside.) Regulations 1994 (the Habitats Regulations, as amended, 2017) transpose into the UK law Council Directive 92/43/EEC of 21st May 1992 on the conservation of Natural Habitats and of Wild Fauna and Flora (often referred to as the 'Habitats [and Species] Directive'). The great crested newt is listed on Annex II and Annex IV of the Directive. The former Annex relates to the designation of Special Areas of Conservation (SACs) for this species; even where great crested newts occur outside SACs, the inclusion on Annex II serves to underline their conservation significance. Inclusion of

the Annex IV ('European Protected Species') means that member states are required to put in place a system of strict protection as outlined in Article 12, and this is done through inclusion on Schedule 2 of the Regulations. Regulation 39 makes it an offence to:

- Deliberately capture or kill a great crested newt [Regulation 39 (1)(a)];
- Deliberately disturb a great crested newt [Regulation 39(1)(b)];
- Deliberately take or destroy the eggs of a great crested newt [Regulation 39 (1)(c)];
- Damage or destroy a breeding site or resting place of a great crested newt [Regulation 39(1)(d)].

The legislation applies to all life stages of great crested newts.

Breeding birds

The Wildlife and Countryside Act 1981 (as amended) makes it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built or,
- take or destroy an egg of any wild bird.

This protection applies from the moment the nest is being built. Additional protection against disturbance on the nest or of dependent young is provided for birds included on Schedule 1.

Badger

Badgers and their setts are protected by the Protection of Badgers Act 1992. Under the Act it is illegal to:

- Wilfully kill, injure or take a badger or attempt to do so;
- Cruelly ill-treat a badger; and,
- Interfere with a sett by doing any of the following:
 - (i) damaging a badger sett or any part of it;
 - (ii) destroying a badger sett;
 - (iii) obstructing access to a badger sett;
 - (iv) causing a dog to enter a sett; and,
 - (v) disturbing a badger while it is occupying a sett.

Penalties for offences under the Act are up to six months in prison and a fine of £5,000 for each offence.

Reptiles

The Wildlife and Countryside Act 1981 makes it an offence to intentionally kill any of our native snakes and lizards. The sand lizard and smooth snake receive additional protection; for these species, it is unlawful to capture or possess them, or to damage/obstruct access to places they use for shelter or protection, or to disturb them whilst in such a place.

Otter

Otter are afforded full legal protection under both UK and European legislation. The Conservation (Natural Habitats & c.) Regulations 1994 (as amended, 2017) transpose the Habitats Directive into UK law, making it an offence to:

- deliberately capture, injure or kill an otter;
- deliberately disturb an otter in such a way as to be likely to significantly affect the local distribution or abundance of otters or the ability of any significant group of otters to survive, breed, rear or nurture their young; or,
- damage or destroy an otter holt.

The otter is also protected under Section 9(4)(b) of the Wildlife and Countryside Act 1981

- intentionally or recklessly disturb any otter whilst it is occupying a holt; or,
- intentionally or recklessly obstruct access to a holt.

Water Vole

Water voles are given full legal protection under Section 9(4) of Schedule 5 of the Wildlife & Countryside Act 1981 (as amended in 2008). This makes it a legal offence to intentionally kill, injure or take, sell, damage or destroy or obstruct access to any structure or place used by water voles for shelter or protection, or to disturb water voles while they are using such a place.