Land adjacent to St Mary's Street, Penistone

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Extended Phase 1 Assessment Report

Paul Keeling's

Evolution Ecology

Extended Phase 1 Assessment

at

Land adjacent to St Mary's Street, Penistone

For

Mr Hisham Shibl

Executive Summary

- Areas of the land adjacent to the St Mary's Street, Penistone site are of low ecological value since the majority of the vegetation is managed and the remainder of the compound is made up of either hard standing land or buildings.

- The remainder of the site is an amalgamation of grassland communities and wooded areas.

- No indications of suitable habitats were identified on site or closely adjacent to the site regarding protected species.

- Trees found on site are discussed within the 'tree survey report'.

- If, during development, areas of the site with a current medium level of ecological importance can be maintained and areas can be developed to enhance the ecology of the site and surrounding areas, this will help improve the ecology of both the site and general area.

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1. INTRODUCTION

1.1 Background

This extended Phase 1 Ecological Assessment has been produced at the request of Mr Hisham Shibl in relation to a proposed development site on land adjacent to St Mary's Street, Penistone.

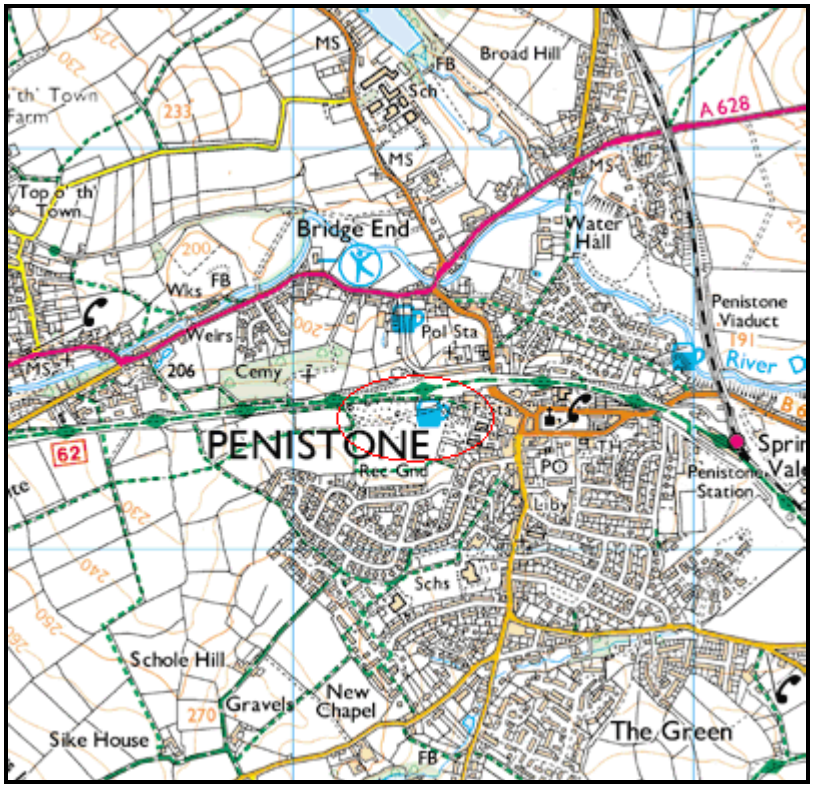
The survey was undertaken by Mr. S. A. Graham BSc (Hons), MSc and Mr. P. Robinson (Assistant Ecologist).

1.2 Site Description

The site is located close to the centre of Penistone and is accessed off St Mary's Street at its junction with Bridge Street. The surrounding land is of a mixed nature including industrial properties, residential and green space.

The site is within close proximity (<1km) to the River Don, which is located to the north and east of the site.

Figure 1: Location of land adjacent to St Mary's Street



2 LEGISLATION

Wildlife and Countryside Act 1981: United Kingdom legislation for plant protection extends to land, including land covered by water, and territorial waters. The legislation prohibits any person from intentionally (in Scotland, also recklessly) picking, uprooting or destroying wild plants which are listed on the Wildlife and Countryside Act 1981 (Schedule 8) and it is an offence to sell such wild plants. The legislation also prohibits the uprooting of wild plants not listed on the Schedule, unless the uprooting is carried out by the owner or occupier of the land on which the plant is growing, or by someone having their permission to do so, or unless the action is authorised in writing by the appropriate local authority, although such authorisation does not confer a right of entry to the land.

This protection has subsequently been enforced and extended by the implementation of The European Conservation (Natural Habitats etc.) Regulations 1994 and the Countryside and Rights of Way Act 2000

Some rare plants, listed on Schedule 8 of the Wildlife & Countryside Act, have additional protection and it is an offence for any person, including the landowner, intentionally to pick, uproot or destroy these specially protected wild plants.

The law provides a defence to both the above offences if the act was incidental to a lawful operation, such as a planning permission would provide, and could not reasonably have been avoided.

3. METHODOLOGY

3.1 Desktop Study

A desktop study for the site was undertaken using resources available on the internet (www.magic.gov.uk, www.ordinancesurvey.co.uk, www.nbn.org.uk and Google Earth).

3.2 Phase 1 Habitat Site Survey

The Phase 1 Habitat Survey has become a widely accepted method for surveying semi-natural habitats and is regarded as an essential part of the Environmental Impact Assessment (EIA) process whenever ecological receptors are likely to be affected by re/development (IEMA, 1995; IEEM, 2003).

The production of the Phase 1 report was undertaken in line with JNCC's guidelines by a qualified member of Evolution Ecology as detailed in the Handbook for Phase 1 Habitat Survey (JNCC, 2007). The Phase 1 Habitat Survey is designed to provide a rapid assessment of the semi-natural vegetation.
Depending on the findings, it would be normal to follow up a Phase 1 Habitat Survey with a Phase 2 Assessment of the vegetation communities (NVC) as well as any specific protected species surveys that are indicated as being necessary based on the target notes made.

Additional Target Notes

Additional target notes will be made where applicable to record:

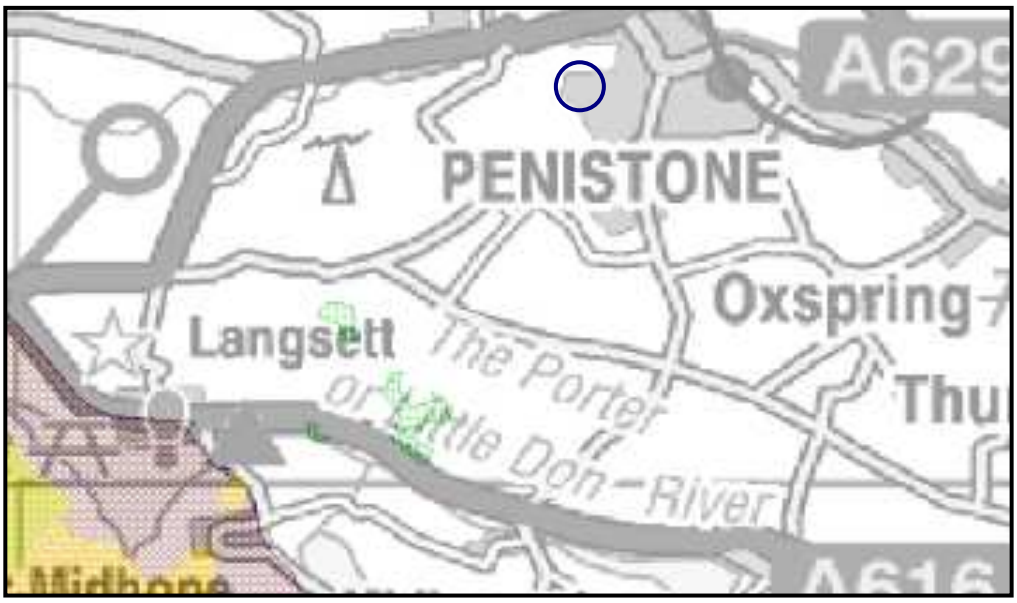
- Key habitat features.
- Urban ecological features not covered in sufficient detail in the Phase 1 Methodology.
- Important habitats too small to be mapped and to identify dominant species.
- Other features of ecological interest.

4. FIELD SURVEY RESULTS

4.1 Desktop Study

The desktop study revealed a large number of protected landscape designations including numerous Sites of Special Scientific Interest (SSSI's) and the Peak District National Park. The nearest of the SSSI's is located approximately 1.5 km to the south-west of the site, divided from the survey area by a number of main roads and areas of amenity grassland, which will act as an effective barrier to species migration for most terrestrial animals. The second closest is found ~2.25km to the south. The Peak District National Park is found to the south and west of the site

Figure 2: Protected Landscapes in Vicinity of site



Green areas indicate SSSI locations and yellow/pink area is the Peak District National Park. Approximate site location indicated by blue circle.

4.2 Phase 1 Habitat Site Survey

The site is the proposed location of a new unknown development, currently used by a number of small businesses, with the site being broadly divided into two areas; floristically poor areas being located within the interior of the site which consists predominantly of buildings and hard standing, and managed areas of grassland and tall ruderals and woodland.

Each habitat is colour coded and can be found in Appendix B: Extended Phase 1 Habitat Map.

A1.3.1 Mixed semi-natural woodland

Within the north-western section and towards the eastern side of the site are areas where there are a number of both mature and immature (planted) deciduous trees found.

Within the north-western corner a mixture of mature and semi-mature sessile oak (*Quercus petraea*), beach (*Fagus sylvatica*), horse chestnut (*Aesculus hippocastanum*) and silver birch (*Betula pendula*) can be found. With a very tight canopy and signs of a very high disturbance and erosion rate, very little under-story was present within this area.

Within the eastern side of the site a mixture including silver birch (*Betula pendula*), hawthorn (*Crataegus monogyna*) and alder (*Alnus glutinosa*) was recorded. Although these specimens are all fairly small, being no taller than 4 meters, they have a potentially medium level of ecological value within the site, due to the lack of other suitable habitats on site.

C3.2 Tall ruderal

Tall ruderal herb communities on the site were very limited, being restricted to small localised patches (indicated in Appendix B). These communities were dominated by bramble (Rubus fruticosus) and common gorse (*Ulex europaeus*), although there was evidence of rosebay willowherb (*epilobium spp*) also being present in the form of new growth and last seasons dead stems.

J1.2 Amenity grassland

There are a number of thin linear sections of amenity/managed grassland, adjacent to the footpath along the northern boundary of the site, dominated by white clover (*Trifolium repens*), ribwort plantain (*Plantago lanceolata*), common daisy (***Bellis perennis***), rough meadow-grass (*Poa trivialis* L.) and red clover (*Trifolium pratense*). The linear strip of grassland if frequently managed through cutting and possible herbicidal control along the periphery, resulting in a species poor habitat.

J1.3 Ephemeral/short perennial

Located along a fence line to the west of the buildings and surrounding the southern sides of the buildings are small patchily populated areas with no obvious dominant species. Species identified during survey include Greater plantain (*Plantago major*), Creeping buttercup (*Ranunculus repens*), American willowherb (*Epilobium adenocaulon*) and nettle (*Urtica dioica*). With signs of dead growth, it is evident that such areas are regularly managed through herbicidal control, resulting in a species poor assemblage.

J1.4 Introduced shrub

Between the footpath and the northern site boundary of the site is a small strip of land which appears to have been adopted by the adjacent residents and planted with numerous exotic plant species. This linear strip appeared to be frequently managed through weeding of the ground and pruning of the exotic tree/shrubs etc.

J2.4 Fence

There are a number of sections of fencing throughout the site. On the interior of the site, metal palisade fencing is situated around the areas of hard-standing, currently used as secure storage areas for the small businesses. Towards the anterior of the site, sections of wooden fencing were observed, separating the site/area of hard-standing at the north of the properties and the adjacent footpath.

J3.6 Building

There is a mixture of solid-brick and metal pre-fabricated buildings on site, currently used by a number of small businesses.

J5 Footpath

There is an official [managed] crushed stone footpath running adjacent to the northern boundary of the site. There were no floristic species identified on the footpath possibly due to the high level of use and plants/grasses not having time to establish.

J5 Hard-standing

There are two distinct areas of hard-standing. The storage areas associated with the small buildings is constructed from tarmac; however the area of hard-standing to the west of the site is a mixture of tarmac and 6F2 (hardcore). There were no plants/flowers observed within these areas, possibly as a result of the pollution from the small businesses on site/disturbance due to the frequency with which vehicles etc are using the site.

4.3 Protected Fauna Species

Birds

Bird species recorded during the field survey

Common Name	*Scientific Name*
Blackbird	***Turdus merula***
Bluetit	*Cyanistes caeruleus*
House sparrow	*Passer domesticus*
Pied wagtail	*Motacilla alba*
Swift	*Apus apus*
Starling	*Sturnus vulgaris*
Chaffinch	*Fringilla coelebs*
Collared dove	*Streptopelia decaocto*
Robin	*Erithacus rubecula*

Mammals

No mammals were recorded during the survey, however, this does not mean that mammals are not utilising the area. A number of species of bats, and water voles have been recorded within the vicinity of the site. With regards to bats, the buildings on site were evaluated during survey; with buildings not considered suitable due to the material in which they are constructed or the buildings having received new roofs within the last 12 month period, there should be no issues regarding this species. The recorded sightings of water voles were all made some distance (over 1km) away from the site. With no pools or water courses having been identified within close proximity to the site, so there should be no further issues with this species. During the survey no evidence of current badger activity was recorded within the identified badger outlier sett, so there should be no further issues with this species.

Reptiles and Amphibians

No reptiles or amphibians were identified on site during the field survey. There are records of grass snakes, adders and great crested newts in the area, however, none have been recorded within close proximity to the site. As there are no ponds within approximately 1km of the site there will be no issues with great crested newts. With regards to reptiles, the site may have potential as a foraging and basking site, but as the site is so heavily disturbed by the local businesses and dog walkers it is unlikely that reptiles will utilise the site.

Birds

The development does have the potential to impact upon the local bird population. However, provided any work on the trees was undertaken outside the bird breeding season (March-September) this should have a minimal negative impact, although major disruption of the landscape may destroy valuable feeding and refuge sites, which would ultimately have a negative impact on the bird population.

5 CONCLUSION AND RECOMMENDATIONS

There are a number of areas of the site located within the north western and eastern areas of the site with a medium level of ecological value, floristically, which have the potential for associated fauna in these habitats.

If, during development, parts of these areas can be maintained, such as that at the eastern end of the site, coupled with the area running adjacent to the length of the path (along the northern edge of the site) this would maintain the wildlife corridor status of the site and reduce fragmentation. It would also be good practice to maintain and enhance the ecology of the site and surrounding area as a whole.

Trees found on site are discussed within the 'tree survey report'.

No indications of suitable habitats were identified on site or closely adjacent to the site regarding protected species.

6. REFERENCES

English Nature. (2004) *Bat Mitigation Guidelines.* English Nature

RSPB (2002) The Population Status of Birds in the UK, Bids of conservation concern: 2002-2007

The European Conservation (Natural Habitats, &c.) Regulations 1994. HMSO

Wildlife and Countryside Act (1981)

Countryside and Rights of Way Act (2000)

Joint Nature Conservation Committee. (1990) Handbook for Phase 1 Habitat Survey

7. APPENDICES

APPENDIX A: Aerial Photograph of the site

APPENDIX B: Phase 1 Habitat Map.

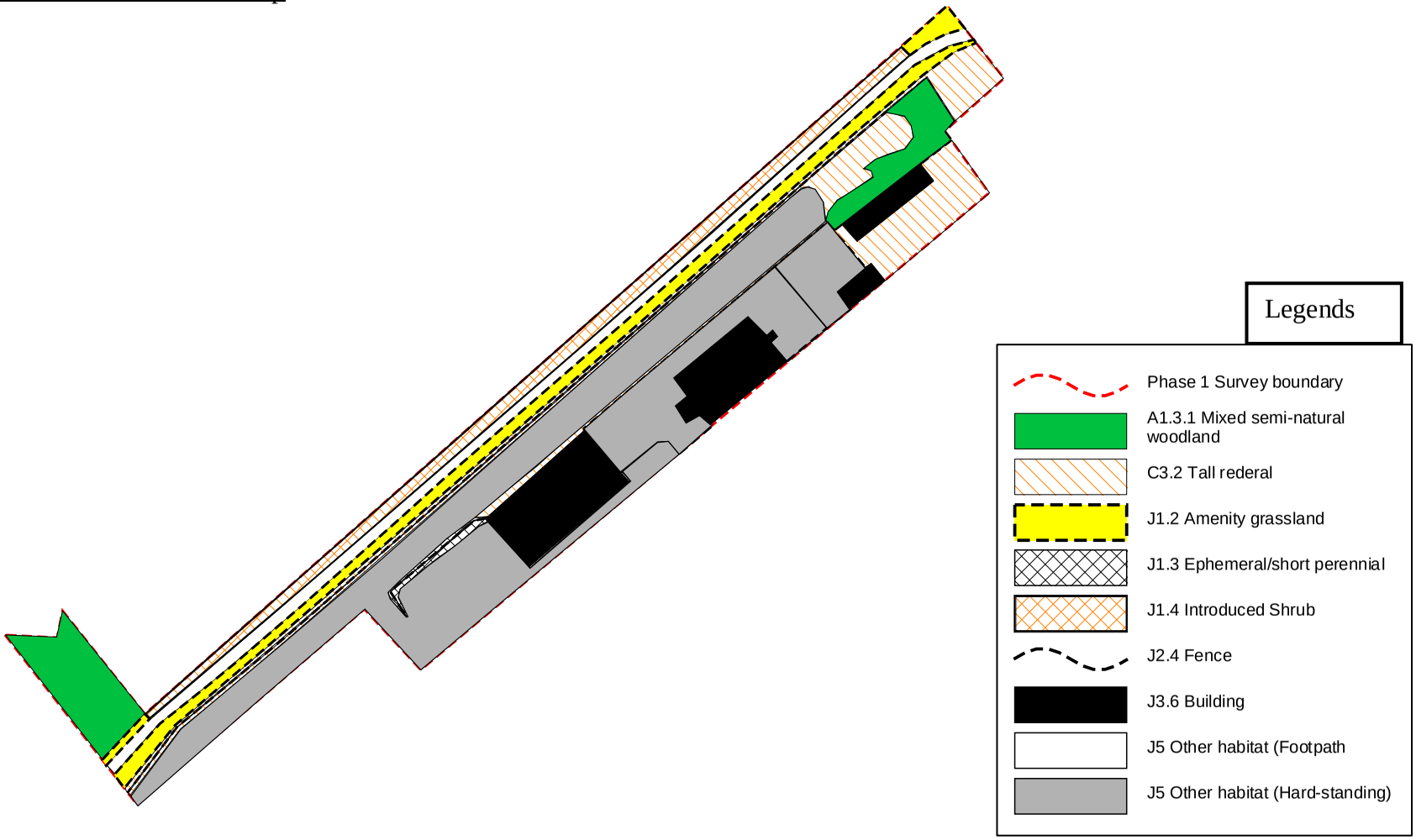
APPENDIX C: Photographic Records

APPENDIX D: Plants Listed on Schedule 8 of the Wildlife and Countryside Act, 1981

APPENDIX A: Aerial Photograph of the Site

Red Boundary Indicates the Principal Survey Area assessed in this Phase one.

APPENDIX B: Phase 1 Habitat Map

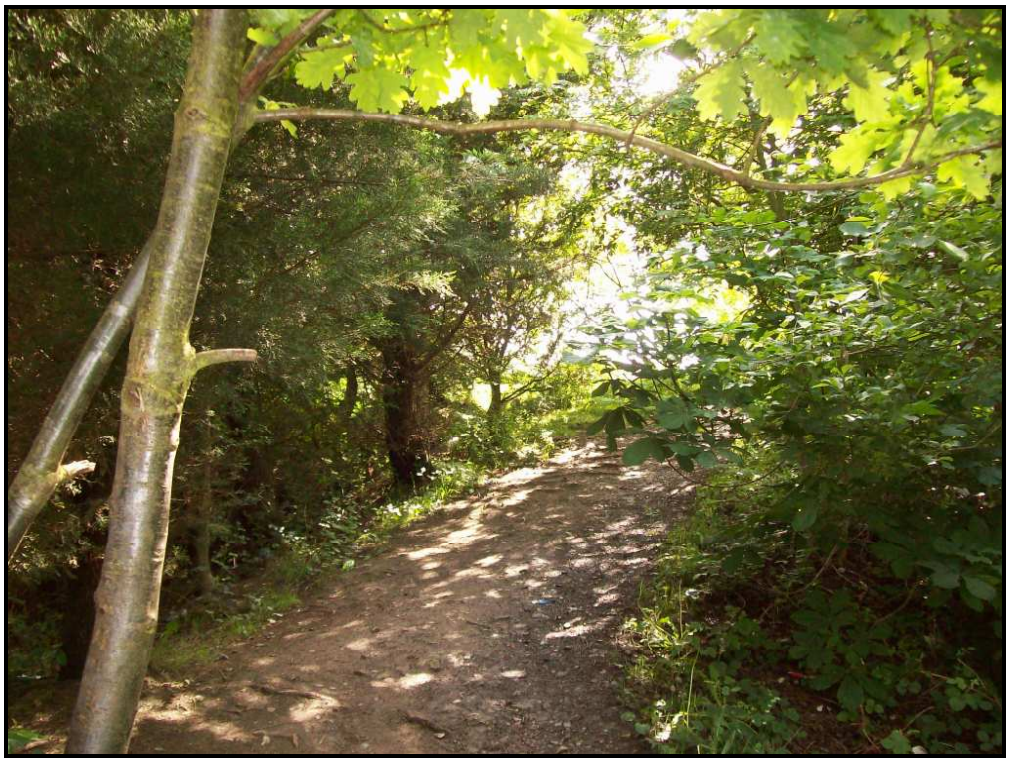


APPENDIX C: Photographic Records

Photograph of ‘goods’ sheds at eastern end/entrance of site.

Photograph of path running east to west along the northern edge of the site.

Photograph of the north-eastern area of the site.



Photograph of path within the wooded area in north-western corner of the site

APPENDIX D: Plants listed on Schedule 8 of the Wildlife and Countryside Act, 1981

The Wildlife and Countryside Act, 1981 (Schedule 8 plants)

Vascular Plants

Ajuga chamaepitys	ground pine
Alisma gramineum	ribbon-leaved water-plantain
Allium sphaerocephalon	round-headed leek
Althaea hirsuta	rough marsh mallow
Alyssum alyssoides	small alison
Apium repens	creeping marshwort
Arabis alpina	alpine rock-cress
Arabis stricta	Bristol rock-cress
Arenaria norvegica	Norwegian sandwort
Artemisia campestris	field wormwood
Atriplex (Halimione) pedunculata	stalked orache
Bupleurum baldense	small hare's ear
Bupleurum falcatum	sickle-leaved hare's ear
Carex depauperata	starved wood-sedge
Centaurium tenuiflorum	slender centaury
Cephalanthera rubra	red helleborine
Chenopodium vulvaria	stinking goosefoot
Cicerbita alpina	alpine sow-thistle
Clinopodium menthifolium (Calamintha sylvatica)	wood calamint
Corrigiola littoralis	strapwort
Cotoneaster cambricus (C. integerrimus)	wild cotoneaster
Crassula aquatica	pigmyweed
Crepis foetida	stinking hawk's-beard
Cynoglossum germanicum	green hound's-tongue
Cyperus fuscus	brown galingale
Cypripedium calceolus	lady's-slipper
Cystopteris dickieana	Dickie's bladder fern
Dactylorhiza lapponica	Lapland marsh orchid
Damasonium alisma	starfruit
Dianthus armeria	Deptford pink
Dianthus gratianopolitanus	Cheddar pink
Diapensia lapponica	diapensia
Eleocharis parvula	dwarf spike-rush
Epipactis youngiana	Young's helleborine
Epipogium aphyllum	ghost orchid
Equisetum ramosissimum	branched horsetail
Erigeron borealis	alpine fleabane
Eriophorum gracile	slender cottongrass
Eryngium campestre	field eryngo
Filago lutescens	red-tipped cudweed
Filago pyramidata	broad-leaved cudweed
Fumaria reuteri (F. martinii)	Martin's ramping-fumitory
Gagea bohemica	early star of Bethlehem
Gentiana nivalis	alpine gentian
Gentiana verna	spring gentian
Gentianella anglica	early gentian
Gentianella ciliata	fringed gentian

Gentianella uliginosa	dune gentian
Gladiolus illyricus	wild gladiolus
Gnaphalium luteoalbum	Jersey cudweed
Hieracium attenuatifolium	weak-leaved hawkweed
Hieracium northroense	Northroe hawkweed
Hieracium zetlandicum	Shetland hawkweed
Himantoglossum hircinum	lizard orchid
Homogyne alpina	purple colt's-foot
Hyacinthoides non-scripta	bluebell
Lactuca saligna	least lettuce
Leersia oryzoides	cut-grass
Limosella australis	Welsh mudwort
Liparis loeslii	fen orchid
Lloydia serotina	Snowdon lily
Luronium natans	floating water-plantain
Lychnis alpina	alpine catchfly
Lythrum hyssopifolia	grass-poly
Melampyrum arvense	field cow-wheat
Mentha pulegium	pennyroyal
Minuartia stricta	Teesdale sandwort
Najas flexilis	slender naiad
Najas marina	holly-leaved naiad
Ononis reclinata	small restharrow
Ophioglossum lusitanicum	least adder's-tongue
Ophrys fuciflora	late spider orchid
Ophrys sphegodes	early spider orchid
Orchis militaris	military orchid
Orchis simia	monkey orchid
Orobanche artemisiae-campestris (O. loricata)	oxtongue broomrape
Orobanche caryophyllacea	bedstraw broomrape
Orobanche reticulata	thistle broomrape
Petroraghia nanteuilii	Childing pink
Phyllodoce caerulea	blue heath
Phyteuma spicatum	spiked rampion
Polygonatum verticillatum	whorled Solomon's seal
Polygonum maritimum	sea knotgrass
Potentilla rupestris	rock cinquefoil
Pulicaria vulgaris	small fleabane
Pyrus cordata	Plymouth pear
Ranunculus ophioglossifolius	adder's-tongue spearwort
Rhinanthus serotinus (R. angustifolius)	greater yellow-rattle
Coincya wrightii (Rhynchosinapis wrightii)	Lundy cabbage
Romulea columnae	sand crocus
Rumex rupestris	shore dock
Salvia pratensis	meadow clary
Saxifraga cernua	drooping saxifrage
Saxifraga cespitosa	tufted saxifrage
Saxifraga hirculus	yellow marsh-saxifrage
Scirpus triqueter	triangular club-rush
Scleranthus perennis	perennial knawel
Scorzonera humilis	viper's-grass
Selinum carvifolia	Cambridge milk-parsley
Senecio paludosus	fen ragwort
Stachys alpina	limestone woundwort
Stachys germanica	downy woundwort
Tephroseris integrifolia (ssp. *maritima*)	South Stack fleawort

Teucrium botrys	cut-leaved germander
Teucrium scordium	water germander
Thlaspi perfoliatum	perfoliate penny-cress
Trichomanes speciosum	Killarney fern
Veronica spicata	spiked speedwell
Veronica triphyllos	fingered speedwell
Viola persicifolia	fen violet
Woodsia alpina	alpine woodsia
Woodsia ilvensis	oblong woodsia

8 LIMITING CONDITIONS/DISCLAIMERS (Unless stated otherwise)

1. **The Service**

1.1 Evolution Ecology agrees to supply Ecological consulting services of a preliminary nature or a more thorough service as advised or as commissioned.

2. **Fees**

2.1 The client(s) will settle the agreed fee in full, within 30 days of receiving the invoice. Reports will remain the property of Evolution Ecology until full payment has been received. No liability is accepted for the contents of a report that is not paid in full. Any queries should be notified to Evolution Ecology within 7 days of the invoice date.

2.2 If the client(s) fails to pay within the time specified in 2.1 then Evolution Ecology shall charge the client(s) interest on the outstanding fee, both before and after any judgment, at the rate of 4% per month above the HSBC Bank base rate, until payment is made in full (A part of a month being treated as a full month for the purposes of calculating interest).

2.3 In the event that it is necessary to recover any outstanding fees from the client(s), the client(s) will fully reimburse any costs and expenses incurred during the recovery period, including court costs. Evolution Ecology reserves the right to make a charge for every letter sent and telephone/fax call made, in connection with the recovery.

3. **The Report**

3.1 If any part of the report is lost, or altered without the written consent of Evolution Ecology, then the entire report becomes invalid.

3.2 The general format of reports is a certified product and cannot be shown, copied or distributed to third parties without the permission of Evolution Ecology. No liability is accepted for the contents of the report, other than to that of the client(s).

3.3 The report will purport not to express any opinion or comment as to the condition or structural integrity of any building and no reliance should be made on any such comments.

4. **Insurance Cover**

4.1 All work carried out by Evolution Ecology is covered by a £1,000,000 professional indemnity insurance.

5. Quality of Craftsmanship

5.1 When appointing an Ecologist, please use only suitably qualified and experienced companies (The Local Authority and the Institute of Ecology and Environmental Managers may be able to provide a select list of such companies)

5.2 Evolution Ecology will not accept liability for any works undertaken by any other companies, or contractors.