

PROJECT:	LD10848
SUBJECT:	Clarification Note to Barnsley Council – Ecology and Arboriculture
DATE:	6 th March 2024
PREPARED BY:	Tim Palmer – Technical Director (Ecology)
REVIEWED BY:	Lorraine Palmer – Associate Director (Ecology)

1 INTRODUCTION

1.1 Terms of reference

1.1.1 Following the submission of a planning application for a mixed-use development to provide up to 1,560 new homes and up to 43 hectares of employment land (2021/1089 employment element and 2021/1090 residential element) a number of comments have been received from Barnsley Council’s Biodiversity Officer and Tree Officer.

1.1.2 Wardell Armstrong are acting as lead ecology and arboriculture advisors for the scheme and hence have considered the queries appropriately. This Technical Note sets out the response of the planning team to the issues raised on the ecology matters and provides clarification to each of the issues raised by the Council following the detailed information submitted with the planning application.

1.1.3 The note is set out covering ecology. Ancient woodland matters including mitigation with respect of the proposed drainage connections is set out in separate cover and will be confirmed in due course, following additional information to be collected from site.

1.1.4 The note is supported by a number of documents and plans requested by the Council as set out below:

- **Appendix 1** Metric 4 updates including Biodiversity Net Gain Assessment (Update).
- **Appendix 2** Biodiversity and Ecological Management Plan (Update).
- **Appendix 3** eDNA survey results/Laboratory report.
- **Appendix 4** White Young, Green Great Crested Newt Survey Report.

- **Appendix 5** Water Vole and Otter Survey Results Plan (showing all referenced ditch numbers and potential otter lie up habitat).

1.2 Clarifications and Further Information

- 1.2.1 Table 1 (below) provides a summary of the responses received by the Applicant. The abbreviated comments are provided and our response/further information is shown.

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Table 1 LPA and Consultee Comments/Planning Team Response.

Council Comment	Team Response/Clarification
ES Chapter	
<p>1. The desk study supporting the Ecological Impact Assessment (EclA) includes a data search carried out with Barnsley Biological Record Centre, but it does not appear that records have been obtained from the South Yorkshire Bat Group or South Yorkshire Badger Group. Records from these groups should be obtained to inform the assessment.</p>	<p>The Environmental Statement assumed that appropriate data would have been supplied by the individual groups within the data request from Barnsley Biological Record Centre. If this is not the case, individual groups can be contacted for additional certainty. As this data is most helpful for setting the scope of the site surveys rather than to inform assessment in its own right, if there is a lack of data it is unlikely to result in any change to the assessment conclusions.</p>
<p>2. Paragraph 7.3.2 of the ecology chapter advises that statutory sites within 5km of the proposals site are considered; however, there are a number of Sites of Special Scientific Interest (SSSI) within the 5km search area which are not listed within table 7.3 (this table is titled non-statutory Designated Sites and level of Importance; however, it includes statutory sites, such as Special Areas of Conservation and Special Protection Areas). When referring to the governments MAGIC website there are two parcels of the Dearne Valley Wetland Site of Special Scientific Interest (SSSI) (units 21 and 22) situated within 5km of the proposals site to the south and Pye Flatts Meadows SSSI located to the west. A small part of proposals site is located within the SSSI Impact Risk Zone of the Dearne Valley Wetlands SSSI; however, the proposals type is not one which is considered to have an impact upon the SSSI and consultation with Natural England will not be required. Although an impact is considered unlikely, these sites should be included within the Ecology Chapter for completeness.</p>	<p>Ordinarily, assessments focus on sites within 2km of the application site unless the application may impact a particular receptor which may need wider consideration. We would be happy to consider the sites not included (but within 5Km) and clarify the extent of any impact on such sites, although we note the Officer's comment that an impact is considered unlikely.</p>
<p>3. The residual impact upon Redbrook Pastures Local Wildlife Site (LWS) and on-site woodland habitat, once the site becomes operational is considered to be negligible; however, it is likely</p>	<p>Clarification can be provided to include the mitigation measures set out and the likely residual impact following adoption of mitigation being negligible.</p>

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<p>that use of these areas, where access is available, will significantly increase once the residential site becomes occupied. Measures should be set out within the Biodiversity Enhancement Management Plan (BEMP) with the aim of reducing adverse impacts, such as the installation of interpretation boards, dog waste bins, etc., as well as monitoring of the LWS and woodland once the site is occupied to assess impacts and the requirement for further mitigation measures, such as fencing of footpaths, etc. A negligible residual impact upon these receptors is not considered to be realistic, with a minor adverse impact considered more likely.</p>	<p>This can be reflected in an updated BEMP with measures suggested being incorporated.</p>
<p>4. A number of hedgerows occur within the site, all of which have been identified as representing priority habitat and a number which have been identified as being 'important' under the Hedgerow Regulations 1997. The proposals will cause the loss of the majority of existing hedgerows on site and whilst it is appreciated that new hedgerow planting/hedgerow translocation will take place, I am not in agreement that the residual impact as a result of the proposals will be negligible. In the short term there will be at least a minor adverse impact, as established hedgerows will be lost and new hedgerow planting/translocated hedgerows will not provide the same level of connectivity, cover, etc. for a number of years.</p>	<p>It is our assessment that there would be a long term negligible impact but this may be preceded by a short term adverse effect until the new hedgerows become established, as suggested this could result from reduced connectivity until the new hedgerows approach maturity. The current condition of the hedgerows is such that the intense horse and sheep grazing appears to have repressed the ground flora and mid height levels with densest active growth at the hedge tops. This combined with a seemingly total lack of management has resulted in a loss of biodiversity interest, despite the standard inclusion of native hedgerows >30m in length as 'Priority' habitat. The new and retained hedgerows will be managed to ensure a higher value resource is provided.</p>
<p>5. As set out above, the residual impact anticipated upon bats of negligible is also considered to be unrealistic and a minor adverse impact within the short-term, through loss of hedgerows and increased lighting, is more appropriate. A detailed sympathetic lighting scheme should be secured by way of planning condition, to set out how proposed lighting will be designed to avoid adverse impact upon foraging and commuting bats.</p>	<p>As above our assessment is that in the longer term once the hedgerows become established there would be a negligible adverse effect once connectivity is restored.</p> <p>We confirm that a lighting scheme has been discussed in the ES chapter, and we would expect a planning condition requesting a sympathetic lighting scheme. The lighting scheme will include ecological input to the lighting design, and will aim to reduce any adverse impacts of lighting on foraging and commuting bats.</p>

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<p>6. A minor to major adverse impact upon breeding birds is anticipated due to farmland and ground nesting bird species of conservation concern being identified on-site. Minimal mitigation has been suggested to address this impact and will need to be considered. This is discussed further below within comments concerning breeding bird surveys.</p>	<p>This comment is addressed below (paragraph 55).</p>
<p>7. Paragraph 7.4.61 gives a different number of SUDs basins proposed to that stated in paragraph 7.4.10. This should be checked and amended, where necessary.</p>	<p>We confirm that 9 SUDs basins will be provided in total, seven will be within the residential application site and two will be within the employment site.</p>
<p>8. The ecology chapter sets out that a small section of stream located within the woodland to the north of Hermit Lane is likely to be culverted. Reduction of this habitat is considered likely to cause a significant impact at a local level. A policy for the MU1 allocation is to retain, buffer and manage the watercourse, grassland and woodland north-east of Hermit Lane. This was a point made in the original consultation response provided in January 2022 by Wildscapes and has not been addressed. The woodland in which the works will take place has also been assessed as representing ancient woodland as part of ecological surveys carried out. Standing advice for ancient woodland is that proposed development should avoid impact on this habitat, it is classed as irreplaceable habitat within the National Planning Policy Framework and planning policy BIO1 within the Barnsley Local Plan states that “development will be expected to conserve and enhance the biodiversity and geological features of the borough by Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland....” Proposals to culvert the stream within the woodland should be reconsidered, so the proposed development is in line with site policy, planning policy BIO1 and national standing advice.</p>	<p>Following further consultation with the drainage design team we confirm that there will be no culverting of the stream within the woodland/ancient woodland.</p>

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Preliminary Ecological Appraisal	
<p>9. As discussed above, the statutory and non-statutory site evaluation does not include SSSIs within proximity of the proposals site.</p>	<p>See above remarks.</p>
<p>10. The habitat description table includes arable fields which occur to the south of the site. The UK Habitat Classification code give is modified grassland. This should be checked and amended, where necessary.</p>	<p>To clarify the arable fields are no longer present to the north of Hermit Lane. This is described within the habitat evaluation table in the PEA report. There is both modified grassland and arable land to the south of Hermit Lane. This is also described within the habitat table.</p>
Ancient Woodland Assessment	
<p>11. The woodland to the east of the site has been subject to a robust assessment, with reference made to historic maps and a botanical survey undertaken during appropriate timings. The assessment concludes that the woodland is representative of ancient woodland, with cartographic evidence dating to between 1577 to 1667 indicating a wooded landscape and the presence of ancient woodland indicator species.</p> <p>12. A 15m buffer around the woodland edge is proposed, in line with national standing advice and the landscape masterplan indicates that appropriate native shrub planting is proposed within the buffer zone, which is welcomed.</p> <p>13. The assessment advises that existing footpaths within the woodland will be formalised using bark mulch (or similar) to deter desire lines. It is stated that the process of formalising the footpaths will be undertaken using hand tools. This should be detailed within a Construction Environmental Management Plan (CEMP – Biodiversity), which can be secured by a planning condition. As set out above the BEMP should include measures such as the installation of interpretation boards and dog waste bins, as well as monitoring of impacts upon the woodland and possible contingency measures.</p>	<p>We note the comments relating to specific provisions to be included within a CEMP and are content that this can be secured by planning condition. We will provide an update to the BEMP to include mitigation and monitoring aiming to reduce the impact of increased recreational use within the woodland.</p>

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Biodiversity Offsetting Assessment and Biodiversity Metric (Barnsley West Combined)	
<p>14. The metric version used does not allow me to view the habitat trading summaries tab. Can the applicant's ecologist please look into rectifying this?</p>	<p>The trading summaries tab was not opened prior to submission. We are content to update the metric spreadsheet accordingly to clarify this element.</p>
<p>15. The total area of the baseline habitats is 114.80; however, within ecology reports it is mentioned that the site area equates to approximately 120ha. When undertaking a rough measurement of the combined site, I would concur with 120ha. This should be checked and amendments made, where required. Furthermore, the total site area under the on-site habitat creation tab (excluding areas of individual trees) is different to the total area of baseline habitats. This is flagged as an error within the metric. This should also be checked and amended, where necessary.</p>	<p>Our mapping team have assessed the baseline area with the most up to date red line boundary and are confident in the area figure of 114.44 ha. This has been amended within the metric calculation, and the areas of on-site baseline and on-site creation match. An updated Metric will be supplied for clarification.</p>
<p>16. Two waterbodies were assessed using the MoRPh field survey method. Evidence should be provided that the assessor is appropriately qualified and has the relevant River Condition Assessment accreditation.</p>	<p>Accredited Associate Director (Ecology) Ms Tosha Allen (WA) undertook the MoRPh survey, she is accredited under the Modular River Survey Condition Assessment (Dr L Shuker Modular River Survey Team, 2022) and has certification available upon request. Further evidence of the survey can be provided if requested.</p>
<p>17. Woodland parcel W1 is given a condition of good although it obtains a score of 32 within the condition assessment. The condition sheet for woodland habitat types advises that this would be moderate (26 to 32). This should be amended as it causes a small change to the final result of the metric.</p>	<p>The woodland parcel is in moderate condition. This change will be reflected in an updated Metric.</p>
<p>18. The metric indicates that there will be losses in area to woodland parcels W2 and W3 (under retention category biodiversity value). These areas have been identified as ancient woodland habitat and appendix 7.8 (Ancient Woodland Assessment) indicates that there will be no development within the ancient woodland, hence no direct habitat loss will occur. As advised in relation to the stream on site, there is national standing advice, national policy, site policy and planning policy within the Local Plan requiring retention of such habitat due to</p>	<p>It was assumed AW ground flora habitat will be removed to create the mulch pathways, however in actuality, and as confirmed by the project Landscape Architects, the pathways are already present as trodden earth paths, hence there will be no additional removal of AW vegetation/habitat. The intention is to formalize the existing routes using mulch. We understand that the exact specification/design has now been approved to the satisfaction of the Council. The Metric will be updated to reflect this.</p>

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<p>it being irreplaceable. Any proposed loss of the woodland should be reconsidered, so the proposed development is in line with site policy, planning policy BIO1 and national standing advice. If this is an error within the metric, this should be amended accordingly.</p>	
<p>19. The metric also indicates that woodland parcel W4 will be lost to the proposals. This area is not identified as ancient woodland but as lowland mixed deciduous woodland (a habitat of principal importance) planning policy states that “development will be expected to conserve and enhance the biodiversity and geological features of the borough by protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006...”. This habitat should therefore be retained within the proposals. Table 3 of the biodiversity offsetting report indicates that the woodland will be retained, and the landscape masterplan (drawing no. P11754-00-001-GIL-0100) also shows this habitat as retained, therefore the loss of this habitat within the metric may be an error. Amendments should be made, where necessary.</p>	<p>Confirmation is provided that the woodland parcel W4 will in fact be retained. This will be amended in the Metric and an update supplied for review.</p>
<p>20. Table 2, other neutral grassland – it’s advised that the grassland parcels score a moderate condition as 4 out of 5 criteria are met; however, as a non-acidic grassland type there are 6 criteria. As 4 of the 6 criteria are met, this still results in a moderate condition, so no amendment is required in the metric.</p>	<p>This will be amended in the Metric and an update supplied for review.</p>
<p>21. Table 2, priority ponds – have ponds on site been assessed against the criteria within the UK Habitat Classification for priority ponds and if so, which of the criteria do they meet? Again, if these ponds are considered to be priority habitat, their loss should be avoided in line within planning policy BIO1.</p>	<p>Re-assessment of the ponds under the UKHab criteria shows the ponds to be non-priority as they do not meet the relevant criteria. This will be amended in the Metric and an update supplied for review.</p>

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22. Table 2, bare ground – these are input into the metric as “artificial unvegetated, unsealed surface”, where a condition assessment is not applicable; however, table 2 includes a condition assessment of poor for this habitat. No amendment is required in the metric.	This will be amended in the Metric and an update supplied for review.
23. Table 2 – hedgerow 18 appears to be missing from the table, though is included within the metric.	To confirm, hedgerow 18 can be found within Table 2 under native hedgerows ‘H14-H19’.
24. Table 2 – hedgerow 22 is listed as a native hedgerow with trees within the table, but as a native hedgerow within the metric. This should be checked and amended, where appropriate.	The hedgerow includes trees. This will be amended in the Metric and an update supplied for review.
25. Table 2 – hedgerow 23 is listed as a native hedgerow within the table, but as a native hedgerow with trees within the metric. This should be checked and amended, where appropriate.	The hedgerow does not include trees. This will be amended in the Metric and an update supplied for review.
26. The metric shows that there will be a loss of -4.71 watercourse units through the loss of ditches on site and culverting a section of the stream associated with the woodland habitat on site (discussed further above). It is appreciated that a similar length of bioswales is being created within the proposed site; however bioswales represent area habitats within the metric and therefore the trading rules are not satisfied. The applicant should seek off-site mitigation solutions to ensure a 10% net gain in watercourse units are achieved. The LPA may be able to agree payment of our tariff to offset this loss.	By clarification, this is considered within the Metric report as an anomaly due to the Metric assessment process. It is our view that the loss of ditches will be compensated for, in terms of biodiversity, using bioswales. Furthermore, DEFRA have confirmed that the mandatory requirements for statutory biodiversity net gain (i.e 10% net gain and trading rules) do not apply to development applications which have been lodged prior to 12 th February 2024. Therefore, rigid adherence to the Trading rules is not yet a mandatory requirement and any perceived harm should be considered in the overall planning balance.
27. Table 3, linear features – Is it proposed to enhance H7 to a good condition as this is not reflected within the metric?	The hedgerow does not include trees. This will be amended in the Metric and an update supplied for review.
28. Table 3, linear features – the table suggests 25 new hedgerows will be created (H36 – H51); however, the metric indicates this is 20 and reference numbering differs from that in the table (some hedgerows also have references which would suggest they were tree lines). Can this be amended so that it is clear? The masterplan framework advises that where hedgerows are to be lost, these can be translocated and hedgerow translocation is	There will be 16 new hedgerows (recorded as multiple rows in the metric spreadsheet due to phasing timings). This will be amended in the Metric and an update supplied for review. Regarding translocation, the updated BNG Metric will clarify that although this has been considered as an option, this will not be undertaken, mainly because the majority of the hedgerows are not species rich and are of limited

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<p>suggested within the ecology chapter. The biodiversity offsetting report doesn't indicate that this is proposed. Has this been explored as an option and if so, this needs to be indicated?</p>	<p>biodiversity value due to the absence of management and heavy pony grazing/browsing. It is felt that the greatest biodiversity benefit would be derived from planting new hedgerows which are species rich and subject to ongoing appropriate management from the outset.</p>
<p>29. Table 3, linear features – the table suggests nine new lines of trees will be created (TL1-TL9); however, the metric indicates this is 7. Can this be amended so that it is clear?</p>	<p>There will be 9 new lines of trees. This will be amended in the Metric and an update supplied for review.</p>
<p>30. Table 3, individual trees – it is set out that 4 of the 6 condition criteria are targeted and a good condition is anticipated; however, when referring to the relevant condition sheet passing 4 criteria would achieve moderate condition. Trees input into the on-site habitat creation tab have been set to achieve a condition of moderate, so no amendment is required in the metric.</p>	<p>The trees will be in 'moderate' condition. This will be amended in the Metric and an update supplied for review..</p>
<p>31. The Biodiversity Offsetting report indicates that due to loss of two priority ponds on site, there will be a loss of biodiversity units for this habitat type. As discussed, I am unable to view the habitat trading summary, but I presume the habitat trading rules have not been met due to the loss of high distinctiveness habitat in addition to loss of watercourse units. Consideration may need to be given to the creation of additional ponds to address this.</p>	<p>As per the above, adherence to the Trading rules is not yet a mandatory requirement for development lodged prior to 12th February 2024. The landscape masterplan has resulted in a large gain for biodiversity (>10% in both habitats and hedgerows) overall, which includes the addition of ponds/SUDs and swales all of which will aid the site in terms of wetland biodiversity.</p> <p>In addition, we note upon further review that the trading rules for hedgerows have also not been met. This would be most easily resolved through the addition of trees within some of the created hedgerows, with a small positive change to the calculations and amendment of the report.</p> <p>This will be amended in the Metric and an update supplied for review.</p>
<p>Biodiversity Metric – Commercial</p>	
<p>32. Within the on-site habitat baseline tab there is an area of other neutral grassland included. This is labelled as G7 within the user comments. When referring to the UK Habitat Plan included within the Biodiversity Offsetting report, G7 is located outside of</p>	<p>To confirm, G7 is within the commercial site boundary and is labelled within the drawings supplied.</p>

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<p>the proposed commercial site boundary. This should be checked and amended, where necessary.</p>	
<p>33. Within the on-site hedge tab, H29 has been input as a native hedgerow with trees – associated with bank or ditch; however, within table 2 of the Biodiversity Offsetting report it is identified as a native hedgerow – associated with a bank or ditch. This should be checked and amendments made, where necessary.</p>	<p>H29 is a native hedgerow associated with a bank or ditch. This will be amended in the Metric and an update supplied for review.</p>
<p>34. Individual trees proposed on site are set as rural trees within the metric. Only urban trees are included within table 3 of the biodiversity offsetting report. This doesn't have an impact on the metric; however, amendment to table 3 could be considered.</p>	<p>The trees present withing the baseline Metric data are coded as being 'rural' and the created trees are 'urban'. This can be amended with a no change to the calculations, this will be amended in the Metric and an update supplied for review.</p>
<p>Landscape Masterplan (<i>drawing number P11754-00-001-GIL-0100</i>)</p>	
<p>35. The strategic landscaping proposed on site is considered to provide significant on-site net gains. We would therefore seek to secure this by a Section 106 agreement, with this given as an option to secure on-site gains within the government's Biodiversity Net Gain (BNG) guidance. A management and monitoring plan of habitats proposed would be a requirement of the Section 106, with this setting out management and monitoring over 30 years from the implementation of each phase of the landscaping. Monitoring of the landscaping would be undertaken periodically over the 30 years, with subsequent monitoring reports submitted to the LPA. We will charge a fee to review monitoring reports over this period, which will be set out within the Section 106 agreement. It is unclear who will be responsible for the implementation of the strategic landscaping; this information should be provided.</p>	<p>Noted - We are content that a s.106 will be provided and a Biodiversity Net Gain Plan required to finalise responsibilities and scope over the 30 year period. Although this is outside the scope of technical ecology queries, the Team would like to discuss the Councils position on planning fees for review of monitoring reports.</p>
<p>36. Residential and commercial phases of development can be subject to a planning condition at reserved matters stage to provide an updated metric to demonstrate that the overall site is on track to achieving at least a 10% net gain. This can be provided alongside a management and monitoring plan covering</p>	<p>Noted.</p>

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<p>the thirty-year period from the implementation of public green space on site. This will deal with flags regarding time to target condition within the metric for smaller areas of woodland proposed in association with phases of residential development, where time to target condition is 30 years.</p>	
<p>37. It is noted within the landscape masterplan that there are areas of species-rich grassland and traditional wildflower meadow, and both are classed as other neutral grassland of moderate condition in the habitat creation tab of the metric. Is management likely to differ for these two habitat types which might make the proposed habitat type within the metric difficult to achieve?</p>	<p>The habitats differ within species composition but will achieve the same condition of 'moderate' regardless of management. As per the condition assessment criteria, the grasslands will both be a good representation of the UKHab description (corresponding to the species-rich seed mixes proposed), will have between 1-5% bare ground, will have <20% bracken and <5% scrub, and will have <5% cover of species indicative of sub-optimal cover (again corresponding to the species-rich seed mixes proposed). Criteria relating to management (for example, mowing) i.e. sward height varied, has been failed for both habitat types. The criteria for good condition ie.>10 species per m² has been coded as 'failed' for both habitat types to account for feasibility.</p>
<p>Barnsley West Biodiversity and Ecological Management Plan</p>	
<p>38. The management plan submitted has been produced by White Young Green in 2021, but the appendices listed within the Ecology Chapter includes a management plan produced by Wardell Armstrong in 2023. This document doesn't appear to have been submitted with the application. This should be submitted for review.</p>	<p>This has now been submitted., and will be updated following comments above.</p>
<p>GCN eDNA Technical Note</p>	
<p>39. Can the results of the eDNA surveys from the lab please be included within the appendix of the GCN report for completeness, this will also confirm the lab used, as paragraph 2.5 states "approved laboratory".</p>	<p>These can be supplied.</p>
<p>40. HSI calculations for all ponds subject to survey should be included within the report, alongside pond descriptions and photographs of all ponds so a thorough review can be undertaken; this should include those ponds and ditches scoped out of the assessment.</p>	<p>HSI scores have been given in the report for all ponds which could be accessed. The remaining ponds were in private property and access could not be obtained for any survey.</p>

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41. Why were the wet ditches not subject to eDNA surveys?	The ditches were dry throughout the survey season and had no suitability for GCN.
42. A copy of the White Young Green GCN report should be provided.	This can be supplied.
43. Para 4.2 states that it is recommended that presence/absence surveys are repeated should there be a delay of 2 years to the onset of habitat clearance works associated with the scheme. It would be more practicable to suggest update eDNA surveys, in the first instance.	Noted and happy to confirm the suggested approach.
Otter and Water Vole Survey Report	
44. The plan within the otter and water vole report does not show ditch numbers, these need to be added to the plan.	Confirmation of ditch numbers can be provided in an updated plan.
45. What length of ditch outside the red line boundary was surveyed for otter and water vole? There may be otter/water vole sites outside lying just outside the development area that may be indirectly impacted by the development, this should be considered.	Craven Wood Stream was surveyed for 100m beyond site boundary. Other ditches were surveyed for the full length, however survey was not continued beyond the site boundary due to the lack of suitability of such features..
46. Were all areas of the channel accessible for surveys, within each ditch? If not, this should be included within the limitations so it is clear which sections were searched from the bankside and which from within the channel.	To confirm, one ditch within the channel was inaccessible as it was scrubbed over. As the ditch was dry this is not a significant limitation.
47. Were all the ditch surveys undertaken on the same day, 15th May? This was a large area to cover in a relatively short space of time.	To confirm, all ditches were surveyed on the same day, however the dry ditches were not surveyed, due to their unsuitability. The time spent surveying was adequate given the short watercourse lengths (wet watercourses). The surveys were undertaken by an Associate Director with >20years experience of otter and water vole surveys.
48. Absence of evidence of foraging and commuting otter does not mean absence of the species. Were there any habitat features that could be used as a resting place e.g. if no potential for a holt, was there suitable habitat for lie-ups or couches?	Confirmation regarding the presence of suitable lie up habitat present within the pond area within the woodland, can be supplied. We would expect to see some evidence of use, if a couch/lie-up was present, although this is unlikely given likely absence of foraging resource (fish and amphibians etc) in stream.

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<p>49. Only one water vole survey was undertaken. The water vole survey guidelines states that two should be completed. Justification needs to be included as to why only one survey was undertaken.</p>	<p>The habitat was considered to be negligible across the site, with the exception of Craven Wood stream which was suitable but poor, as it was shallow and flowing. As there was no evidence of water vole recorded (including an absence of old burrows, which often remain where populations have been removed due to predator pressure etc), and no desk study records within the last ten years for 2km from the site boundary. It is suggested that a checking survey can be secured if necessary via a condition applied to the planning consent, for any works within 5m of a watercourse.</p>
<p>50. The CEMP should include detailed mitigation to avoid any adverse impacts (direct and indirect) during site clearance, construction and the completed scheme.</p>	<p>Noted, however it is our view that because of the likely absence of these species (otter and water vole) means that CEMP mitigation is not required.</p>
<p>Bat Survey Update Report</p>	
<p>51. Building 8 (B8) was only subject to two surveys, yet a small roost was located. Why was a third survey not undertaken?</p>	<p>Two surveys were undertaken with almost identical findings, which is sufficient to confidently characterize the roost. As such, no further surveys were considered necessary. This is in line with the guidance whereby sufficient survey data is required to characterize the roost, this can be just one survey or more than three, depending on the outcomes.</p>
<p>52. Hedgerows form an important feature for commuting bats, there will be a significant impact arising from the loss of hedgerows during the construction period which is likely to negatively impacts bats commuting to and from foraging and roosting sites. What mitigation has been included to offset this impact?</p>	<p>Strategic Infrastructure planting including hedgerows will be implemented at the start of works (completed by 2027), and removal of baseline habitats within remaining residential/commercial parcels will be implemented gradually. This will ensure foraging/commuting networks will be present throughout construction and no important habitats (woodland) will be isolated. A site lighting design plan will prevent construction lighting impacting networks and can be secured by condition.</p>
<p>Breeding Bird Survey Report</p>	
<p>53. Have barn owl surveys been undertaken? If not surveys of the buildings at Redbrook should be undertaken to assess their potential to support barn owl.</p>	<p>Redbrook Farm is outside of the boundary and will not be impacted. No barn owls have been recorded on site during the extensive bat and bird surveys undertaken.</p>
<p>54. Impacts to birds during site clearance and construction are likely to be significant due to the removal of hedgerows which are a</p>	<p>As per the statements above re bats the phasing plan will implement Strategic Infrastructure in the initial works phases, and removal of baseline habitats for the construction of the residential/commercial phases will be</p>

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Council Comment	Team Response/Clarification
<p>key feature within the site and support a variety of notable species.</p>	<p>gradual. This will ensure that hedgerows will not all be removed at once and will be present for nesting birds throughout construction period.</p>
<p>55. There will be significant impacts to ground nesting birds including skylark and lapwing from the proposal. Detailed mitigation should be provided to offset these losses this should include green roofs. A good example of this is the Sky garden developed at Pinewood studios (https://www.sky-garden.co.uk/insights/sky-gardenwins-ecology-award-for-pinewood-studios/). Mitigation for the loss of lapwing habitat could include improvement of nearby lapwing habitat of working with an organisation such as the Yorkshire Wildlife Trust to provide biodiversity offsetting. This is separate to any BNG offsetting that would be required and can be discussed with the LPA ecologist further.</p>	<p>Due to feasibility concerns it is the applicant's strong preference that green roof provision is not pursued, however the Team are content to discuss off-site measures re Lapwing which cannot easily be accommodated within the site/design, and may also be of benefit for skylark.</p>
Wintering Bird Survey Report	
<p>56. The wintering birds surveys have not been undertaken in line with the survey guidance (Gillings et al. 2008). Paragraph 2.4.3. states the following "standard WBS methodology recommends that six surveys be carried out between October and March inclusive". The data provided indicates that surveys have not been undertaken in December and January, key periods for wintering birds. The paragraph also states that this was due to timing of commission. This is not a valid justification for undertaking sub optimal surveys.</p>	<p>Additional surveys have now been undertaken in December and January, the results of which do not affect the assessment and confirm the status of birds on site, a Technical Note has been submitted.</p>
<p>57. Redwing a Schedule 1 bird were recorded in significant numbers suggesting the site is a valuable winter foraging ground for the species. This should be fully considered within the report and mitigation provided.</p>	<p>The phasing plan will confirm that hedgerows will be retained in part throughout construction. Berry-bearing shrubs will be planted when new hedgerows are created, such that there is a long term benefit. We consider that the site is not a valuable wintering resource for redwing, over and above other similar habitat areas locally. Redwing are a highly mobile species the distribution of such is dependent on weather and availability of berry resources, any site in the UK with areas of berry bearing scrub/hedgerows can be utilized by flocks of this species.</p>

Technical Note



Council Comment	Team Response/Clarification
<p>58. The BBS and WBS have confirmed that the site is of value for birds especially ground nesting species such as skylark and lapwing, both of which a S41 Species of Principal Importance and both Red Listed species. As such, detailed mitigation is required to offset the loss of breeding and foraging habitat for these species, and other notable species such as meadow pipit within the site.</p>	<p>The Team welcome the suggestion that mitigation measures off site can be discussed with LPA and other local conservation groups.</p>
<p>Aerial Tree Inspection Survey – Bats</p>	
<p>59. T23 was given high potential to support roosting bats and the climbing inspection found that the potential roosting features may hold around 20/30 individuals. This tree will be directly impacted to accommodate the proposal, as such additional surveys are required in the active season to ascertain the presence/likely absence of a roost, as per the BCT guidelines, para 6.3.10/7.1.1.</p>	<p>The climbed inspections found no evidence of a roost despite the inspections being exhaustive. If a significant roost had been present, droppings would have been recorded. As the tree is theoretically suitable for a large roost (based on the size of the internal void) we suggest a planning condition requiring a further survey or inspection prior to the removal of the tree. This approach is echoed in the BCT guidelines which state: <i>Confidence in a negative result is not possible for trees due to limitations outlined in Chapter 6, although emergence surveys of trees should only be used in a limited set of circumstances. (7.2.43) In trees, it is very difficult to have confidence that roosts are absent (see Chapter 6) and therefore, even where no bats are found, it may still be necessary to apply precautionary measures when carrying out tree-felling and pruning activities.</i></p>

1.3 Conclusions

- 1.3.1 In summary, this clarification notes seeks to address all of the concerns raised by the LPA, we note that comments have also been received from the Wildlife Trust, however these are also addressed in the clarification notes set out above, as they reflect similar queries to some of those raised by the LPA.
- 1.3.2 We confirm that the overall conclusions of the ES chapter with respect of biodiversity, once mitigation is taken into account, remain unchanged by the additional information provided. Impacts to skylark and lapwing which remain locally adverse (residual) will be addressed via further consultation with the Council. It is anticipated that compensation options will be explored.