

From: [Lawrence , Katie \(PLANNING ECOLOGIST\)](#)
To: [REDACTED]
Cc: [REDACTED]
Subject: 2021/1089 & 2021/1090
Date: 21 May 2024 14:47:29
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

Dear [REDACTED]

Following receipt of the latest biodiversity metrics for each application and an updated great crested newt report, please see below my comments in relation to biodiversity. My response also includes a summary of the Biodiversity Net Gain offer, how impacts upon some ecological features of value should be addressed and recommended conditions and legal obligations. Conditions and legal obligations include the requirement for habitat management and monitoring plans for each phase of the development, precautionary measures to be adopted during construction works, sympathetic lighting schemes and features to be incorporated on site to benefit a range of wildlife, such as nesting birds, roosting bats, hedgehogs, etc.

Biodiversity Net Gain

A biodiversity metric (version 4) has been submitted for each of the applications. Each metric indicates that a gain in habitat and hedgerow units can be achieved with the residential development indicating a gain of 98.84 habitat units (29.80% gain) and 6.05 hedgerow units (23.08%) and the commercial development indicating a gain of 20.48 habitat units (18.89%) and 9.31 hedgerow units (37.79%). Landscape proposals to achieve these gains include the provision of a range of habitats within areas of public open space, such as woodland, hedgerow and scrub planting, wildflower grassland creation, scattered tree planting and provision of waterbodies including a pond and a number of SUDS basins.

The proposals have largely achieved the masterplan framework requirement of a 10% net gain in biodiversity; however, there is a loss in watercourse units as a result of the development, due to loss of ditches currently on site. The stream associated with the woodland habitat to the east will not be directly affected. The metric indicates a loss of 0.49 watercourse units (-4.92%) within the residential development and a loss of 0.76 watercourse units (-19.17%) within the commercial development. Swales are proposed as SUDS features within areas of green space, but these are recorded as area habitats and hence count towards habitats units within the metric, rather than watercourse units. Furthermore, swales do not meet the definition of ditches under metric guidance, so do not offer suitable mitigation as they won't provide the same function. The applicant has been advised that if a 10% net gain in watercourse units cannot be achieved on site, then off-site mitigation should be considered, or the council's tariff can be paid. [REDACTED]

[REDACTED]

[REDACTED]

The habitat trading rules within the metric indicate a loss in pond habitats. The combined sites currently comprise three ponds, with two of these ponds to be lost as a result of the development. The proposals include for one pond to be created, and this causes a loss in medium distinctiveness pond units within the metric; however, the proposals do include SUDS basins, a number of which are proposed to be permanently wet. SUDS basins are considered differently within the metric, hence why the trading rules have not been met. Due to ponds currently on site offering relatively poor habitat, with Habitat Suitability Index scores indicating poor habitat for great crested newts (and therefore likely to be relatively poor for other wildlife species), it is considered that SUDS basins proposed are likely to mitigate the loss of the ponds currently on site, offering the same function and potentially enhancing opportunities for wildlife.

Due to the significant biodiversity net gains proposed on site, the strategic landscaping should be secured by a Section 106. This is 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.

[REDACTED]

[REDACTED]

Habitats

Craven Wood which partially falls within the eastern part of the site was subject to an ancient woodland assessment and it has been concluded that the habitat does represent an area of ancient woodland. This habitat will not be directly affected by the proposed development and a 15m buffer around the woodland edge, with suitable shrub planting is proposed in line with national standing advice. Existing footpaths through the woodland

will be formalised to deter desire lines and measures such as the installation of interpretation boards and dog waste bins should be implemented to further avoid impact on the woodland habitat, once the site becomes occupied. It has been agreed that management and monitoring plans to be submitted at the post-determination stage will include sympathetic management measures to be implemented within the woodland habitat to maintain and potentially enhance the current condition of the woodland habitat. This management should take place over the 30-year management period, with the retention of the woodland habitat contributing towards the BNG offer. As set out in the section headed 'Section 106' below, management prescriptions for the ancient woodland habitat can be set out within the management plan required for the strategic landscaping.

The majority of existing hedgerows across the site will be removed to facilitate the proposed development, with the current hedgerow length totalling 7.33km and hedgerow proposed for retention totalling 2.17km; however, the proposals include for 4.67km of new species-rich native hedgerow with trees, and this combined with retained hedgerows totals 6.57km of hedgerows on site post-development. Due to the proposed planting of a higher distinctiveness hedgerow type (species-rich hedgerow with trees) to replace the loss of hedgerows largely of a lower distinctiveness (native hedgerow), this has allowed for a significant gain in the value of hedgerows on site, as demonstrated within the biodiversity metric and set out above. Translocation of species-rich hedgerows, where these can't be retained is required by the MU1 site specific policy and is a requirement within the Barnsley West Masterplan Framework (p54); however, due to the absence to date of appropriate management and heavy pony grazing/browsing of the current hedgerows on site, it is not considered that hedgerow translocation would be a suitable option. Planting of new species-rich hedgerows subject to ongoing management from the outset is considered to be a satisfactory measure.

Protected/priority species

The main outstanding issue relating to species which utilise the site is the impact upon ground nesting birds, which has yet to be addressed. Skylark and lapwing were identified as using the site during breeding and wintering bird surveys and the ecology chapter of the Environmental Statement states that the loss of habitats on site will result in a major adverse residual impact at a local level in regards to these species. Skylark and lapwing are both listed as Section 41 Species of Principle Importance and planning policy BIO1 of the Local Plan states: 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 species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006 (for list of the species and habitats of principal importance)

As appropriate mitigation cannot be provided on-site for ground nesting birds, off-site mitigation has been suggested. Contact has been made by the LPA to a number of organisations and groups to find a suitable off-site opportunity and it will be suggested that the applicant make contact with these organisations and groups, where appropriate, to find a way forward. A Section 106 agreement will secure off-site mitigation, if a suitable

project is identified, or payment of a suitable amount will be made to the LPA to be spent on an appropriate project.

The updated great crested newt report gives greater confirmation that impact upon this species as a result of the development is anticipated to be negligible, with further survey work finding a number of ponds mapped outside the site boundary to either no longer be present or assessed as offering poor habitat for great crested newts using the Habitat Suitability Index survey method. Drains holding water within the site were also considered to be unsuitable for great crested newts, with which I concur from undertaking a site visit with the applicant's ecologists. The report recommends that updated eDNA surveys should be carried out if there is a delay of 2 years to the onset of habitat clearance works. This is welcomed and can be detailed as a pre-commencement survey within a Construction Environmental Management Plan (CEMP: Biodiversity), which can be conditioned.

Section 106

As detailed above it is advised that the strategic landscaping is secured by a Section 106, due to the significant net gain in biodiversity it provides. The requirement of the Section 106 will be for a management and monitoring plan to be submitted and agreed by the LPA. As well as the strategic landscaping, the plan should also detail the sympathetic management and monitoring of the ancient woodland habitat that falls within the residential development site and the monitoring of potential impacts on the adjacent Redbrook Pastures Local Wildlife Site (LWS) through increased visitor pressure.

A Habitat Management and Monitoring Plan (HMMP) secured by a S106 agreement and completed by a suitably qualified ecologist detailing management for a minimum period of 30 years will be submitted to the Local Planning Authority prior to the commencement of works on site. The HMMP should follow the template HMMP provided by Natural England and should include information on the following;

- Project information and funding.
- Summary of Habitat Proposal and Plans, site boundary map, site context map
- Phasing Strategy – if relevant
- Roles & Responsibilities
- Land use summary, site context photographs, site baseline and environmental information checklist and environmental information
- Management plan aims and objectives, design principles informed by baseline information
- Habitat and condition targets, habitat retention, habitat retention and protection measures map
- Creation, enhancement and management targets and prescriptions
- Habitat creation, enhancement and management – risk register and remedial measures
- Monitoring methods and intervals, monitoring reports and adaptive management.

[REDACTED]

- [REDACTED]
- [REDACTED]

Planning Conditions

For each phase of the development and each reserved matters application, the following conditions are recommended:

A Habitat Management and Monitoring Plan (HMMP) completed by a suitably qualified ecologist detailing management for a minimum period of 30 years will be submitted to the Local Planning Authority prior to the commencement of works on each development phase. An updated metric will be submitted alongside the management plan, which will take into account completed phases on site and demonstrate that the overall site is on track to achieving at least 10% net gain in biodiversity. The HMMP should follow the template HMMP provided by Natural England and should include information on the following;

- Project information and funding
- Summary of Habitat Proposal and Plans, site boundary map, site context map
- Phasing Strategy – if relevant
- Roles & Responsibilities
- Land use summary, site context photographs, site baseline and environmental information checklist and environmental information
- Management plan aims and objectives, design principles informed by baseline information
- Habitat and condition targets, habitat retention, habitat retention and protection measures map
- Creation, enhancement and management targets and prescriptions
- Habitat creation, enhancement and management – risk register and remedial measures
- Monitoring methods and intervals, monitoring reports and adaptive management.

Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) for each phase until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:

- Risk assessment of potentially damaging construction activities;
- Identification of 'biodiversity protection zones';
- An invasive non-native species protocol, where necessary;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Details of pre-commencement surveys where necessary for species such as bats, great crested newts, badgers, water vole and otter.
- Responsible persons and lines of communication;
- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s).

Notwithstanding the submitted details, prior to first occupation of the each development phase, details of external/internal lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall be reviewed and produced by a suitably qualified ecologist and clearly demonstrate that lighting will not adversely impact wildlife using key corridors, foraging and commuting features and roosting sites. The details shall include, but are not limited to, the following:

- Identification of areas/features on site that are particularly sensitive e.g. breeding, resting, foraging and commuting sites;
- A drawing showing dark corridors and buffer areas;
- A report and drawings showing how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent species using their territory or having access to breeding sites/resting places, this should include;
 - Technical descriptions, design or specification of external lighting to be

- installed including shields, cowls or blinds where appropriate;
- A description of the luminosity of lights and their light colour;
- A drawing(s) showing the location and where appropriate the elevation and height of the light fixings;
- Methods to control lighting control (e.g. timer operation, Passive Infrared Sensors (PIR)); and
- Lighting contour plans, both horizontal and vertical where appropriate, taking into account hard and soft landscaping.

Notwithstanding the submitted details, before above ground works commence a scheme for biodiversity enhancement on each development phase, such as the incorporation of permanent bat roosting feature(s), habitat piles, hedgehog access and nesting opportunities for birds, shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for their designed purpose in accordance with the approved scheme. The scheme shall include, but not limited to, the following details:

- Description, design or specification of the type of features or measures to be undertaken;
- Materials and construction to ensure long lifespan of the feature/measure
- A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.

On the basis of the above, I recommend approval of the application.

Please don't hesitate to contact me if you have any queries.

Kind regards

Katie Lawrence

Planning Ecologist

Planning Policy

Growth and Sustainability

Telephone: [REDACTED]

Email: [REDACTED]

Mail: PO Box, 634, Barnsley, S70 9GG

