

Exemplar Healthcare

11.07.2024

RE: Barnsley. APPLICATION NO:- Application Number: 2023/0587. Planning Condition 15. Precautionary Working Method Statement (RAMS).

I have been asked to respond to the planning condition below:

No development shall take place (including vegetation/site clearance) until a Precautionary Working Method Statement (PWMS) for badger, hedgehog, amphibians and birds has been submitted to and approved in writing by the Local Planning Authority. The PWMS will be completed by a suitably qualified ecologist and the approved PWMS shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of Biodiversity and in accordance with Local Plan Policy BIO1 and SPD 'Biodiversity and Geodiversity'

The development shall be carried out in accordance with the approved details and such details as are agreed shall be implemented in full throughout the course of the development.

Reason:- The application is deficient with regard to these details to ensure that impacts on small mammals are minimised during the demolition and construction phases and to comply with Policy GE21 of the Halton Unitary Development Plan".

Mammals – Reasonable Avoidance Measures Statement

Hedgehog

Legislation and toolbox talk

A toolbox talk will be provided by the ecologist in respect of Hedgehog legislation. Hedgehogs are protected by British law under Schedule 6 of the Wildlife and Countryside Act 1981, making it illegal to kill or capture them. They are listed as a Species of Principle Importance in England under the Natural Environment and Rural Communities (NERC) Act 2006 Section 41.

The toolbox talk will always be given to all site operatives and be laminated and provided within the site office to all site operatives.

Methodology

The method for the removal of long grassland, shrubbery and trees / hedgerows will be that it shall be overseen by the supervising ecologist whom shall watch and record the gradual removal of these features. The ecologist will be responsible for a prestart site walkover and detailed check for small mammals and the supervision of feature removal. The site walkover shall examine hedges, fallen leaves, scrub and any other suitable habitat that may be used as hibernation nests. The site work is due in the early part of winter 2019

and therefore the most likely activity of animals will be them preparing for / undertaken hibernation nesting.

A suitable receptor site shall be identified prior to any works being carried out and the ecologist will be responsible for the actual removal of any animals from the site.

Following the removal of potential habitat that could be used by hedgehog on the site. Protective fencing will be installed that ensures animals can't access the site. This shall require the fence to be installed to the ground level with no gaps and be sufficiently robust that animals cannot break through it.

Material storage shall discourage hedgehogs taking to the storage by the following means:

- All storage to be off ground for example the use of elevated stillages
- No tipping of rubbish and a clean site policy to be used
- All material storage to be checked daily by the site manager or appointed representative for the presence of small mammals
- Any netting brought onto site shall be stored off ground and in locked containers to avoid entanglement of animals

General avoidance measures shall consist of:

- No works would be carried out at the site between sunrise and sunset.
- Noise and vehicle movements at the site will always be kept to a minimum
- Where any trenches or other excavations are to be left open overnight, these would be fitted with mammal ramps or would have the sides battered to form a slope to allow animals to escape
- A tidy works area would be maintained during construction and any hazardous substances would be fenced off to remove any animal hazards from the site

Monitoring

- The site shall be monitored at regular intervals by the ecologist to record compliance or otherwise with this RAMS.
- Such monitoring will specifically occur during the spring flush of 2020 and before the winter of 2019 / 2020.

Badger

1. A further badger walkover survey of the entire site would be carried two weeks prior to the start of works to ensure that there are no new badger setts.
2. If new setts are found a revised method statement will need to be produced and works may need to be carried out under license from Natural England.

Measures to Limit Disturbance

1. A suitably qualified badger ecologist would be appointed to oversee the compliance of development with this report recommendation.
2. A copy of the Method Statement will be kept at the site office and will be attached to the site notice board. The developer shall appoint an ecologist who will fully instruct operatives on the requirements of this Method Statement.
3. During the development, there should be no need to disturb the areas where field signs have been found. Therefore, no machinery would be permitted in this area. No excavations would be permitted in this area unless under supervision. Workers would be permitted to use hand tools in this area for example to erect the boundary fencing.
4. If it became apparent that works would result in damage to any badger tunnels then works would immediately stop and a badger disturbance licence would be sort from Natural England
5. As badger are nocturnal, no works would be carried out at the site between sunrise and sunset.
6. No works would be carried out within 30m of the badger sett (if found).
7. No overnight lighting to be used.
8. Noise and vehicle movements at the site will always be kept to a minimum and a clean site policy will be monitored by the ecologist.

Measures to Avoid Injury to Badgers

1. Where any trenches or other excavations are to be left open overnight these would be fitted with mammal ramps or would have the sides battered to form a slope to allow badgers to escape.
2. A tidy works area would be maintained during construction and any hazardous substances would be fenced off to remove any badger hazards from the site

Amphibians

Reasonable Avoidance Measures (RAM's):

The following Reasonable Avoidance Measures (RAM) are to be implemented:

- 1) Prior to commencing works at the site, a suitably experienced ecologist should be appointed by the landowner and / or main contractor to ensure that the RAM are successfully implemented throughout development.
- 2) The RAM will be implemented as deemed appropriate by the Appointed Ecologist. A copy of this report and supporting materials such as 'Amphibian ID Sheets' and 'on call' Ecologist contact details should be kept on the site and be available to refer to during site works. It is suggested that the works are arranged to be completed in a single day as the feature is small.
- 3) Prior to any site works starting the developer/contractors should attend an ecological site induction, where the implications arising from the presence of amphibians in the local area and the need to implement the RAM detailed in this report should be fully detailed by the Appointed Ecologist.

- 4) Winter hibernation/dormancy period for amphibians is generally accepted to run from November to February/March, with hibernation/dormancy for individual amphibians usually commencing following the first hard winter frost. Consequently, any work which is likely to result in the disturbance of a potential amphibian hibernation site should not be scheduled or undertaken during this period or during any periods of cold or frosty weather outside of this period when amphibians are likely to be hibernating/dormant. Should such works be required the Appointed Ecologist will formulate and implement appropriate measures to minimise the risks to hibernating amphibians.
- 5) Where practicable, the duration/timing of the works and implementation of RAM should encompass the period when most amphibians are considered likely to be at their breeding sites. Consequently, the risk of amphibians being adversely impacted by the works will be minimised.
- 6) Before any vegetation clearance and/or ground disturbance works commence at the site, the extent of works should be agreed by the appointed ecologist and the contractor.
- 7) The contractor and the appointed ecologist should work together to ensure that trees and hedgerows that are required to be retained in the area of works should be protected from direct impact and severance or asphyxiation of root systems. Any ground disturbance works should only take place at a minimum distance from individual trees. Staged cutting of vegetation (to a height of 15cm for a short period of time before fully removing to allow amphibians to escape) is required.
- 8) Terrestrial habitat protection measures, including the use of exclusion zones, should be implemented as deemed appropriate.

Clean Site Policy

- 9) The area of works, together with any on-site storage/lay down areas, should operate under a 'Clean Site' Policy. In effect, and as far as is practicable, the site should be kept clear of debris and materials stored off the ground on pallets or stillages to prevent amphibians from seeking shelter underneath or within them.

Discovering Amphibians On-Site

- 10) If at all possible, amphibian capture should always be carried out by the Appointed Ecologist or their Accredited Agent.
- 11) However, if ecological supervision is not possible on-site when an amphibian (other than Great Crested Newt GCN) is found terrestrially the contractor should place the amphibian/s into a secure, clean container/s lined with damp moss. If more than one amphibian species is found (other than GCN) they should be kept in separate secure, clean container/s lined with damp moss to avoid injury and/or predation. The Appointed Ecologist or their Accredited Agent should be contacted immediately to ensure that the

amphibian species is correctly identified/recorded and for advice on where and how to release it (as deemed appropriate by the Appointed Ecologist).

12) The amphibian RAM proposed does not allow GCN to be captured or removed from the site and released at another location (as personnel require a class survey licence to handle GCN). If GCN are found within the working area works will cease and the Appointed Ecologist immediately contacted for advice on how best to proceed.

13) The landowner and main contractor will be responsible for adequately resourcing and ensuring the successful implementation of the GCN/amphibian mitigation measures detailed above.

14) Sensitive draining of ponds during amphibian breeding season Feb – Oct inclusive using an on site ecologist whom is responsible for compliance reporting.

Birds

- It is highly recommended that the tree and ground works are undertaken outside the breeding bird season but if they are undertaken within 2 weeks of the end of August or the start of February then a breeding bird survey will be required.

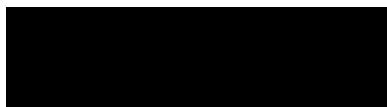
- Since ecological consensus indicates the potential start of the bird breeding season to be during the start of February to August precautionary breeding bird surveys shall be undertaken on the morning of each day that tree works are ongoing to inform the planning condition above. The appointed contractor will be responsible for informing Simon Brain of those intended days where tree works are planned.

- This shall take the form of dawn observations that shall examine avian behaviour such as songbird identification, nest building, territory defence/holding, courtship displays, adults visiting nest sites, or adults carrying foetal sacs. An assessment shall be made as to the behaviour being classed as non-breeding (for example song), probable breeding and or confirmed breeding behaviour

- Recommendation's shall be made where behaviour is breeding related that shall compromise the establishment of a Precautionary Zone and no arboricultural works shall commence until breeding has ceased

- A written report shall be compiled following the dawn observations indicating which birds have been identified on site and whether the behaviour is classed as breeding or not. The report shall confirm which trees can be removed without contravention of Wildlife legislation. The report will be compiled and issued to the client for formal planning condition discharge.

Please do let me know if there is anything further, I can assist you with.



Simon Brain *Ba. RFS Cert Arb. Tech Cert Arb. PG Cert (Bio Rec)*
ICF Registered consultant Chartered arboriculturist
Managing Director