

Planning Application 2021/1496 for a change of use of an existing building from a barn to an event location at Riddle Pit Farm, Flint Lane, Hepworth, Barnsley, HD9 2TR.

Response to Ecology Officer's Concerns

I have copied the Ecology Officer's Report below (*blue italic text*) and added my response (black text) to the further questions that have been put to us;

- *The proposal site is located within a SSSI Impact Risk Zone; however, the development type is not listed as having a likely risk upon the SSSI within this zone, as such the LPA would not be required to consult Natural England in this instance.*
- *A Biodiversity Net Gain (BNG) assessment is required to support the application as an area of grassland will be impacted to accommodate the proposed car parking area. The Small Sites Metric can be used on the basis that the site is below one hectare in size. The LPA's policy at present for this part of the borough is for 'no net loss' of biodiversity – however the mandatory standard of 'minimum 10% Biodiversity Net Gain' will be adopted at some time before the end of 2023 and the applicants should ensure that the application complies to the standard that is in force at that time.*

A relatively small area of grassland is being used on an extremely temporary basis, for the parking of cars for the functions proposed. This small part of the field will encompass a maximum of 37 spaces, and is located adjacent to the existing access drive and the highway. It is not ideal, or even desirable, bird nesting territory, due to on-going traffic movements, associated with Riddle Pit Farm and general traffic on the adjacent highway. Furthermore the access road is used daily by the applicant to walk their dogs, which again will be a deterrent to any birds thinking of nesting in this area.

I also enclose an extract of the site and surrounding area, submitted in the Bird Report, that clearly shows no identified bird territories during mid April to mid-May. As you will note there were no signs of curlews or lapwings in this area, as the only recorded sightings were to the south and west of the site.

Figure 2. Wading bird territory map. The site is circled in red with lapwing (L) and curlew (CU) territories shown.



The proposal will result in no net loss of biodiversity on and around the site, and this complies with current LPA policy accordingly. Therefore there are no substantial groundings to require the submission of a Bio-diversity Net Gain assessment for this application, above what has already been submitted.

- *The proposed car parking area lies within the western moors LWS. It is strongly advised that the car parking site is moved to the south of the track to avoid negative impacts to the LWS. If the car parking location is not moved then this will need to be taken into account when undertaking the BNG assessment in that the baseline habitats and post-development habitats are included within an area of strategic significance.*

The nature of intended use of the proposed car park is negligible regarding any potential harm to the LWS. For example, one event per week, allows for 6 hours of car movements, which is 25% of a day, which is around 3-4% of the time during any one week. Any proposed re-siting of the parking area to the south of the access track, is therefore not considered to be significant, and therefore is not an attractive option for the applicant to consider. It is of note that the LWS boundary is west of the venue, whereas the parking is to the east of the venue.

- *Fox house clough is located 38 m north of the current proposed parking area and is downhill from the site. The report does not describe how negative impacts from pollution will be mitigated.*

We have submitted a noise report on 2 May 2022, identifying noise pollution concerns. May I request that this is sent-on to the Ecology Officer for reference, if it has not done so already.

Pollution from potential car emissions have not been raised by the Environmental Health Team as an issue of concern, so therefore no details of which have been submitted. However, I would not envisage that car usage (for up to 37 extra vehicles) over a time-band equating to 3-4% of time on an average week would be an overly significant concern.

- *Impacts to roosting bats have been assessed within the building proposed for conversion, and I agree with the assessment. The farmhouse which is located adjacent has been given a roost potential score but indirect impacts to roosting bats have not been assessed within the report.*

- *The potential of the barn to support barn owl and other barn dwelling species such as swallow has not been assessed.*

There are no roosting bats or other nesting birds, such as swallows, in or around the barn. This is because there are no opportunities for them to nest or roost. The type of barn with its closed style design, does not encourage barn owl habitation.

See images below;





The Bat assessment has been considered to be satisfactory, and the Ecology officer agrees with the assessment. The internal layout of the barn does not support barn owl roosts, and there is no evidence of swallow activity externally around the eaves of the barn.

- *A pond is located directly adjacent to the farmhouses, approximately 65 m south west of the current proposed car parking area. An assessment of the pond and its potential to support great crested newt should be undertaken prior to determination of the planning application. As such, I advise that an ecological "walkover" survey be undertaken to consider the habitats on site and their potential to support protected and priority species.*

The Applicant has conducted a 'walk-over study' of the pond and on the land around the waters edges, and conducted a trawl of the pond with a small fishing net. The findings revealed a number of small tadpoles and other minor aquatic life, but no newts of any type.

See images on pond and findings below;





It is of note that the pond is walled-off from the access road and there is no opportunity for public or vehicular activity to enter the area around the pond. Furthermore, the grassed areas between the pond and the parking areas are regularly mowed, suggesting there is only a limited habitat corridor for migrating species.

- *A suite of bird surveys have been undertaken, which is welcomed. However, I seek clarification on why a later survey e.g. late May/early June was not undertaken. Curlew breeding behaviour was noted on the third visit, if the visits had been more spread out, successful breeding and the nest location could potentially have been confirmed. The report states a bespoke method was used, what methodology was the bespoke method based on?*

The site assessment was made between 20 April and 19 May 2021. The latter date being a date when most breeding species in the area will have settled on their nests - most curlews have laid their eggs by early May.

The term 'bespoke' for the survey conducted, only means that it was done as an individual survey assessment, by an experienced ornithologist according to their own means of investigation. The following tools were used; 10 x 42 Binoculars • 30 x Telescope • Cannon XA 10 Video Camera • Decibel meter.

- *Results of the survey conclude that there were disturbance impacts to curlew (decreased foraging) due to the increase in noise, when played at 110db. This level is likely to increase with the addition of guests at the proposed venue, which could further negatively impact curlew, a species which are extremely faithful to breeding sites and sensitive to disturbance impacts. Therefore additional disturbance from the development may result in the abandonment of breeding territories. An assessment of the wider area is advised to identify additional curlew habitat and if/where habitat improvements could be made to accommodate displaced curlew.*

A noise meter has been set-up to record music output in the barn. A comfortable level to play music in the barn with the acoustics would be around 95 dbs. At a level of 100 dbs it does start to get uncomfortable. It was agreed that for the purposes of the test we would use 100 dbs. At 100 dbs the surveyor could hear the noise from the barn but he said it didn't affect the birds. He said that the main noise up on the hill behind the barn was the noise from the traffic on the road.

It is not correct science to say that noise from humans is in some way additional to that of say, amplified music - the noise output together is not cumulative. say for example, that amplified music is played at 110 dbs and human talking is at 40 dbs, there is not a total output of 150dbs. The overall total would still not exceed 110dbs.

The report states that the level was increased to 110 dbs to see if it impacted the birds but that level is too high for it to be comfortable in the barn, and is therefore not a level that the applicant would choose to use.

The noise survey for May, indicates the following;

'Music was played several times for prolonged periods at up to 100 decibels and no visible disturbance was observed to either the lapwing family or the pair of curlew - as identified on the map above. This evidence would strongly suggest that there is no significant change in behaviour with noise levels from the venue up to 100db'.

- *Current mitigation includes the use of acoustic panels installed in the roof and on the walls of the barn and fencing to be installed to prevent guests accessing land to the north, south and west of the barn. Additionally, monitoring surveys are proposed for the first two weddings, it is advised that these surveys would be completed April – June inclusive, one visit per month to monitor activity throughout the breeding season. The surveys should also be undertaken when the venue is at peak capacity, or close to.*

It needs to be clarified that the need for the monitoring surveys was from the first report. The second report confirmed that as the noise levels up to 100dbs did not have a discernible impact on any of the birds around the building, then further monitoring surveys are not necessary.

- *Additional detail needs to be provided as to what mitigation would be put into place if monitoring surveys indicate an adverse impact on curlew as applying seasonal restrictions to the use of the barn as a wedding venue is considered unrealistic.*

It is important to note that this was ruled out by the second report, the text above is quoted from the first report.

- *Additional mitigation around the car parking area and track to the barn would be required to provide additional mitigation to prevent any additional disturbance to curlew.*

There are no curlews on the site or between the site and the road to the east, which also encompasses the proposed car parking area. Identified curlew nesting sites are in excess of 120m away in the LWS. The site, and surrounding land, is not considered a good place to forage for curlews.

As monitoring of the site has already occurred between April and May, then it is hard to see how further monitoring would produce different results, particular as birds, such as the curlew, tend to nest in the same place, and if they are not identified elsewhere now, then they are likely to be in those places in the future, especially as the species is in a recognised decline in overall numbers at the moment. As discussed earlier, noise levels up to 100db had no discernible effect on the nesting curlews identified to the west of the venue building. I therefore see no need for any further mitigation.

Contextual map of site and adjacent land

A Map is included below showing a breakdown of how the land is managed.

Key

The red outer line is the applicant's land border.

The yellow fields are cut at least once a week and probably twice a week during the summer.

The Purple area is the land that is effectively left to the wilds for birds and other wildlife. It is usually cut once a year and then left.

The Purple area has a path cut through it and the applicant walks their dogs on it every day.

We would wish to draw attention to the fact that two bird surveys have now been submitted, and a concern is raised that the Ecology Officer may have only seen the first of these surveys, based on some of the comments received.

It is of significant note that one of the bird surveys concluded that the site is of no or limited appeal for foraging birds due to the frequent cutting of some of the fields, particularly in the areas shaded yellow on this map. Clearly frequently cut fields will also have limited appeal to nesting birds too.

