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1st April 2022

Dear Trevor

ECOLOGY: 2021/1691 Gateway Phase 3 Consultee Responses

I have now received comments from the following sources-

- Barnsley Metropolitan Borough Council. Email authored Trevor Mayne 19/01/22
- Natural England. Email authored Laura Tyndall 02/03/22
- Wildscapes. Letter authored Nicola Rivers 01/02/22

For ease of addressing the points raised I have split these into on-site and off-site topics.

On-Site comments

Biodiversity Impact Assessment
Comments from all three sources highlight the lack of reference to the newly designated SSSI. We have taken these on board and have updated this document to reference the SSSI in the sections detailing desk study results and habitat creation proposals.

As previously communicated, the scope of the document is focused on the biodiversity net gain assessment. The approved Construction and Environmental Management Plan (FPCR 2020) detailed provision for the protection of surrounding habitats. Site clearance and earthworks have since proceeded in-line with this document. The Landscape and Environment Management Plan can be amended to have regard for the SSSI (further details below).

Biodiversity Metric
Wildscapes state that "*The Metric appears to have been correctly completed and condition tables have been used to demonstrate target condition*". However, with specific regard to phase 3, they have highlighted the loss of habitat units within the phase and highlighted that this is to be addressed within the biodiversity offsetting scheme (see below).

Landscape and Environment Management Plan
Wildscapes raised several points with the LEMP which we agree with and are incorporating into the revised version. These were

- Production of an offsite management plan (see below)
- Detailing undesirable species as identified in the NE BNG Technical Supplement

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- Providing a monitoring timetable to bring together all these activities in one place
- Detail monitoring activity responsibility and timeframe for submission to BMBC
- Provide details of ground preparation for new habitats
- Clarify proposed hedgehog hole provision

In addition, and as mentioned above, we will include reference to the SSSI within the LEMP with consideration given to protecting the habitats adjacent to the site from proposed management activities.

Habitat Management, Biodiversity Creation and Enhancement Scheme
Wildscapes requested the addition of the list of undesirable species from the BNG Technical Supplement. We have included this in a revised version.

Off-Site comments
Site wide BNG tracking
Wildscapes requested an additional site-wide tracking document. We can provide this report pursuant to the section 106 agreement. While no new data would be reported beyond what is already provided by the phase specific BIA and BOS, this stand-alone document would provide a tracked phase by phase summary of biodiversity unit change.

Biodiversity Offsetting Scheme
We welcome Wildscapes recognition of the previously discussed concept of "*additionality*" with regards habitat enhancement within the SSSI. There are serval technical points that Wildscapes have raised with regard the application of the Metric. We believe that these were broadly addressed during the outline application with communications with BMBC, culminating with an email from yourself (Trevor Mayne) dated 3/7/2020. For clarity our responses are detailed in turn as follows.

1. Temporal Modifier
   Wildscapes believe that the automatically populated temporal modifiers within the metric provide definitive targets for proposed works.

   In reality, the temporal modifier is a "risk" modifier to the habitat creation values and penalises the predicted unit score by a pre-assigned value. The temporal modifier is combined with the difficulty of creation "risk" modifier which is associated with the uncertainty in the effectiveness of management techniques used to restore or create habitat.

   The biodiversity metric 2.0 technical supplement states (2.34)-
   "For the purposes of biodiversity metric 2.0 average time estimates need to be used, accepting that there will be variation from this central estimation. For example, some sites will take longer, where conditions are more nutrient enriched or higher altitude or north facing. Average estimates of the time to target condition were largely expert driven and build upon the considerations that shaped judgements of the difficulty to create or restore a habitat.".

   The biodiversity metric 2.0 user guide states (5.13)-
   "Uncertainty in achieving the target outcome for each habitat is addressed by a habitat-specific 'difficulty' multiplier based on available science and expert opinion."

   Further to this the biodiversity metric 2.0 user guide states (4.31)-
   "The tool will then automatically apply the appropriate difficulty and temporal multipliers for the selected habitat types and condition, so no input from the user is required for those columns."

Given the above it is clear that the values stated should not be considered absolute in terms of habitat management. The management plans for offsite habitats will run for 32 years in accordance with the section 106 agreement giving wider scope to achieve and maintain the targeted condition scores.

2. Habitat Trading

Wildscapes recognise that the habitat trading rules for medium distinctiveness and higher habitats have been satisfied. However, they highlight the loss of low distinctiveness habitats, notably grassland, have not been compensated for with like for like habitats, or habitats within the same broad habitat type.

In brief there is a loss of 23.66 low distinctiveness grassland units. In total there is a loss of 24.61 units of all low distinctiveness habitats which are not directly compensated for by equivalent habitat types.

The biodiversity metric 2.0 user guide states (4.22)-

"Some particularly biodiverse habitats call for like for like compensation if lost, and you should always try to avoid trading down; this means not replacing biodiverse habitats with large areas of less biodiverse habitats. The "Suggested action" column gives indicative advice that you might want to consider as you design your site and compensation plan."

For low distinctiveness habitats the suggested action is "*Same distinctiveness or better habitat required*". For medium distinctiveness habitats the action is "*Same broad habitat or a higher distinctiveness habitat required*". The low distinctiveness habitats lack the requirement for replacement to be within the same broad habitat.

We believe our habitat creation and enhancement scheme to be appropriate to the local area. The habitats used to compensate for the loss of modified grassland are those which are achievable and appropriate on site, and additionally align with the guidance in the Barnsley Biodiversity and Geodiversity supplementary planning document (4.15). The scrub habitat in particular is highly desirable given the proximity to the SSSI which has been designated in this area for lowland scrub assemblages of breeding birds and willow tits.

We are providing a 10% gain in biodiversity units as was agreed in the S106, which represents a significant contribution above what is required by current policy and legislation. We have retained areas of higher quality grassland within the scheme and have undertaken to manage this to improve its value.

3. Habitat Succession

Wildscapes have highlighted the NE August 2020 consultation response as removing habitat succession as an option from the metric.

The consultation informed the design of the biodiversity metric 3.0 where habitat succession was removed as an option. However to compensate for the loss of this function in version 3.0, NE states in the above consultation that it has

"*revised the Difficulty and Time to Target Condition for creation of "other" broadleaved, mixed and conifer woodland to better reflect the reality of creating these woodland types. The resulting scores are comparable with those that would have been achieved previously through using Accelerated Succession and so have made the need to use it redundant*.".

To be clear, the function was removed in version 3.0 and not version 2.0. In version 3.0 woodland creation times were reduced to comparable levels to those achieved using this function in version 2.0.

As such, there is no reason to stop using this function in version 2.0.

4. Habitat Enhancement
   Wildscapes have highlighted that the use of habitat enhancement should be limited to within broad habitat types.

   While this is generally the case, the outcome is that the metric penalises users by assuming that all habitat creation results from complete destruction of the previous habitat (i.e. stripping the site) and there is a temporal loss of habitat provision. This penalty appears to unfairly penalise cases where although habitats are changing, there is no temporal loss in provision of value for local biodiversity.

   Referring to the description provided for newly planted woodlands within the biodiversity metric 2.0 technical supplement (p42), it states that this habitat (the initial stage for our new woodland) is “recently planted trees (often in tree tubes) within grassland”. Highlighting that the grassland is a component of this habitat type, and not something that will be removed.

   As new planting of trees is purely for biodiversity value, density can be reduced relative to commercial or screening woodlands, to allow a relatively open habitat structure and retention of the grassland provision in the long term, including rides and glades. We would highlight that the woodland planting in all cases bolsters existing areas of woodland and management practices which will promote opportunities for natural regeneration and succession. Additionally, we can initially include native flowers and herbs, over-seeding areas surrounding the tree planting to give wildlife a boost while the tree canopy develops (Offsite Management Plan to be provided). This will in effect enhance the grassland, without creating any break in provision of biodiversity value.

   As such we believe that the enhancement approach which removes the penalty for habitat loss is the appropriate approach in this circumstance.

<u>Offsite management plan</u>
Wildscapes have highlighted the lack on an offsite management plan. We agree that this is required, however, given the purpose of this document, it is expected to be ecology led and the scope is not expected to reflect the LEMP that was produced for the onsite areas.

<u>Impacts on Dearne Valley Wetlands SSSI and adjoining land</u>
The response from Laura Tyndall at Natural England raised concerns over the loss of adjoining habitat linked with the Dearne Valley Wetlands SSSI.

Dearne Valley Wetlands was notified by Natural England as a Site of Special Scientific Interest (SSSI) on 13th May 2021 and confirmed under section 28 of the Wildlife and Countryside Act 1981 on 4 February 2022. Hybrid planning for the development was granted prior to these dates on 10/08/2020. The hybrid permission covers
a) Outline with all matters reserved apart from means of access;
b) Full application for associated earthworks and creation of access points including new roundabout to access Local Plan allocation site ES15.

Following this FULL permission for earthworks, the vegetation clearance and earthworks were undertaken prior to the SSSI notification, and further assessment of impacts from this is not considered to be in the scope of the reserved matters submission.

The site design includes a significant buffer of native woodland planting along the site boundary adjoining the SSSI, and the LEMP gives specific reference to the SSSI.

I have directly contacted Laura Tyndall (16/03/22) on this matter, but have had no response.

With regards the planned discharge of water, the Drainage and Flood Risk Statement (JPG 2019) was approved as part of the initial submission (prior to the SSSI notification). Providing works remain in-line with this document, further ecological assessment is not considered necessary.

In brief, the proposed site drainage will comprise of a separate surface and foul water drainage system. Foul water discharge is proposed to drain into the existing public foul water sewer. Surface water discharge will be attenuated, with discharge restricted as set by Barnsley MBC. Sustainable Urban Drainage System (SUDS) will be used in conjunction with conventional drainage systems to improve water quality.

I hope the above clarifies our approach, and the revised and additional documentation satisfies your requirements.

Yours sincerely



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