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Wildlife Discovery Ecological Consultants

PRELIMINARY ECOLOGICAL APPRAISAL REPORT

LAND OFF TALBOT ROAD, PENISTONE, SOUTH YORKSHIRE

MR. M. CLYNCH

WDEC254

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Protected Species Licenses:
Bats: England: CL18 2015-10173-CLS-CLS
2015-21693-SCI-SCI
Scotland: 2014 32653
Wales: 71737:OTH:CSAB:2016
GCN: England: 2016-26812-CLS-CLS

This report has been prepared with all reasonable skill and diligence, within the terms agreed with the client/s: Ms. M. Clynch.

Survey date/s:	25/05/2018
Report produced:	31/05/2018
Report reviewed:	04/06/2018
Report checked & signed off:	04/06/2018

Signed: ..... Mr. A. D. Bird.

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A. WILDLIFE DISCOVERY ECOLOGICAL CONSULTANTS CONTACT DETAILS

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B. INTRODUCTION

B1 Survey Brief

Wildlife Discovery was commissioned by the client to undertake a Preliminary Ecological Appraisal at the proposed development site; off Talbot Road, Penistone, South Yorkshire, within the boundaries as cited by the client (please see Section D and Fig 4).

This appraisal was conducted in the form of an Extended Phase 1 Habitat Survey with special attention being given to the fauna and flora within the stated area.

Initially considered were:

1) Habitats: Potential impacts on any protected flora, grassland habitats and/or areas of hedgerow or woodland.
2) Habitats: Potential impacts on any habitats considered for breeding birds.
3) Species: Potential impacts on any protected mammal species and their habitats, such as; badgers (*Meles meles*), bats (all species), water vole (*Arvicola amphibius*) and otter (*Lutra lutra*), etc.

Extended Phase 1 Habitat Surveys are a defined comprehensive method of surveys, recognised and accepted within the industry, and can prove essential when mitigating further, necessary, and specific survey efforts.

All trees within the proposed site were also examined and surveyed for potential roost features (PRFs) as defined within the guidance of the Bat Conservation Trust (BCT).

Site surveys took place over one working day: 25/05/2018.

B2 Background & Site Description

The land off Talbot Road is at the north side of the town of Penistone and is not designated for any biological interest. The proposed development site consists of four fields (one of which is split into two by a fence) small grassland fields, surrounded for the most part by drystone walls, within a semi-urban environment.

The potential development area is approx. 2ha (19,600m^2) with an approx. perimeter of 765m.

The site slopes downwards steeply from south to north.

There are several mature and semi-mature trees on the boundaries, with a belt of semi-mature trees on the eastern boundary; however, it is understood that none of these will not be impacted by the development.

There are no water bodies on the site and the site is heavily grazed by horses and ponies. The grassland is considered species-poor and typical of a 'close cropped' grazed grassland.

B3 Objective

The objective of the initial survey is to map and record all protected species and habitats discovered and/or potential protected species and habitats observed and recorded within the potential development site, at the time of the survey.

The resulting report formally confirms or refutes the presence or absence where possible and/or recommends further survey effort where potential presence or absence of protected species and/or habitats were recorded, in accordance with industry best practice, the Joint Nature Conservation Committee's (JNCC) guidelines and best practice as cited by CIEEM.

The results ascertain any potential risk of impacts such as:

1. Operations likely to damage any special interest of the site.
2. Operations likely to damage or destroy any protected and/or potential protected habitats.
3. Operations likely to disturb or destroy any protected species and/or their places of shelter.
4. Operations likely to significantly affect the local distribution or abundance of any protected species and/or the destruction of roosting and/or foraging habitats etc.

If all protected species and their habitats are confirmed absent from the site as a result of the survey, then no further survey effort needs to be implemented. However, if this is not the case, and the survey identifies a protected species and/or their habitat/s or their potential habitat/s, this is usually considered insufficient and further 'specific' surveys may be required by the Local Planning Authority (LPA) to measure the extent of any presence of protected species or habitats, and/or any potential impacts upon those protected species, habitats or tree/s in regard to the works planned for the site.

A summary of the legislation relating to the surveys and/or the protected species associated with the surveys can be found in Appendix 5 of this report.

This document reports the findings of all the surveys completed at the site, providing conclusions and recommendations in the light of those findings.

Any further survey effort, mitigation and/or compensation necessary in regard to any habitats or species will be recommended within this report.

All surveys at the site were conducted within the best practice guidelines as cited by:

- The Joint Nature Conservation Committee, (2010). Handbook for Phase 1 habitat survey. A technique for environmental audit.
- The Bat Conservation Trust's Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn): Collins, J (ed), 2016
- Natural England (2007). Badgers and Development a Guide to Best Practice and Licensing.
- National Planning Policy Framework, 2012. NPPF (DCLG, 2012).
- Government Circular 06/2005: Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system, (DCLG, 2005).
- Circular 02/99: Environmental Impact Assessment. 1999, (DCLG, 1999).
- The Code of Practice for Planning and Development. British Standard for Biodiversity. BS42020: 2013.
- British Trust for Ornithology (2001) Bird Survey Techniques.

- Paul Edgar, Jim Foster and John Baker (2010). Reptile Habitat Management Handbook. Amphibian and Reptile Conservation.
- Tom Langton, Catherine Beckett and Jim Foster (2001). Great Crested Newt Conservation Handbook. Froglife.
- Fay. N. et al (2005) Tree Surveys: A Guide to Good Practice (Guidance Notes), Arboricultural Association, London - British Standard 5837:2012
- The Chartered Institute of Ecology and Environmental Management. CIEEM.

B4 Data Searches

The survey preparation was enhanced by the use of a comprehensive desk study using:

Aerial satellite imagery sourced from Ordnance Survey, Google Earth and Bing Maps.
Data sourced from Multi Agency Geographic Information for the Countryside (MAGIC). [1]
Habitat and data sourced from the National Biodiversity Network Atlas (NBNatlas)[2].
Data sourced from Natural England's nature on the map website (within MAGIC).
The Local Biological Records were sourced from: Sheffield Biological Records Centre (SBRC – 2018)
All the above were searched using central Ordnance Survey Grid Reference: SE243035.

[1] MAGIC:
The MAGIC website provides geographic information about the natural environment from across government. The information covers rural, urban, coastal and marine environments across Great Britain.
MAGIC provides links to other sources of data in order to make best use of a wide range of information available on other websites.
MAGIC partnership organizations: Department for Environment, Food and Rural Affairs, Historic England, Natural England, Environment Agency, Forestry Commission, Marine Management Organisation.

[2] NBN: The NBNatlas acts as a "data warehouse" for biodiversity information for millions of individual records, covering plants, mammals, birds and invertebrates inputted by organisations, companies, ecologists, Wildlife Trusts etc. from all over the UK. The use of NBNatlas data in commercial ecological reports is not permitted under the NBN code of conduct. However, the NBNatlas was consulted prior to the survey to establish a baseline.

C. SURVEY INFORMATION

C1 Survey Site

Table 1: The site

Site Address	Specific Site or Building/s	Preliminary Ecological Appraisal Survey
The proposed development: Land off Talbot Road, Penistone, (To the north of St Mary's RC Church).	All the area as cited by the client.	The whole of the site was surveyed for habitats, protected species and the potential for protected habitats and species.

C2 Controls

The surveys provide a 'snap-shot' of the potential habitat and wildlife value of the site at the time of surveys only: further specific survey effort may be required to provide robust, scientifically-valid evidence of species absence or presence as a direct result of the findings.

C3 Pre-existing Information of Protected Species on Site

The survey took into consideration data utilising: - Ordnance Survey Maps, aerial satellite images from Google Earth, Bing Maps, MAGIC and other freely available information including: Yorkshire Wildlife Trust's website.

C4 Data Searches & Desk Study

A comprehensive desk study was completed prior to the field survey at the site to determine any other information likely to assist with the surveys and/or the reporting process.

Local biological records data were sourced and/or purchased from SBRC and are all documented within Appendix 4.

Ecological and Biological Historic records of a 2km radius of the site were searched and reviewed. Any records and/or designations relevant to this survey recorded between 2010 – 2017 are documented at D2.

C5 Weather Conditions at the time of the Survey

Table 2

Site Address	Central OS Grid Ref	Date	Temp	Cloud Cover	Precipitation	Wind
The proposed development: Land off Talbot Road, Penistone, (To the north of St Mary's RC Church).	SE243035	25/05/2018	13°C	100%	0	1 BS – W

C6 Field Survey Methodology

C6.1 Extended Phase 1 Habitat Survey

An Extended Phase 1 Habitat Survey is a combined series of surveys of several different techniques which determine the basic ecology of the site in its entirety and/or within its component parts.

The survey includes an extensive walkover of the whole site assessing and recording the presence or absence of protected species and the health and ecological value of the natural habitats, native trees and vegetation within the site.

The survey also maps and records the site's habitat structure, resident species and species potential, connectivity to the local landscape, ecological network possibilities and commuting potential, foraging opportunities and potential suitability for any species of concern.

In order to fully assess the potential value of habitats within the site, the surveyor observed widely accepted national standards set out in the JNCC publication *Handbook for Phase 1 Habitat Survey. A technique for environmental audit.* (2010) and expanded on these. The mapping exercise can be found at Appendix 1.

The Extended Phase 1 Habitat Survey was performed entirely during daylight hours and provides an opportunity to exclude the need for further survey work, if the following species can be confirmed absent from the site of proposed development: amphibians, badgers, bats, barn owls, birds, terrestrial mammals e.g. badger, dormouse, otter and water vole and reptiles.

If evidence of recent activity and/or features suitable for the species cannot be confirmed absent from the site, this report will make recommendations for further survey/monitoring work and/or mitigation where this is consistent with current national guidelines and considered appropriate by the surveyor in the context of the proposed development.

- Any water bodies on site and/or other riparian environments were systematically searched for any evidence of protected species such as; burrows/holts, droppings/scat, feeding remnants.
- The whole site was systematically searched and observed for any evidence of breeding birds or birds of special interest in accordance with current national guidance.
- A Ground-Based Bat Roost Assessment was conducted on all features such as any trees within and/or immediately adjacent to the development site, to gauge the amount of likely bat features within the site. Roost features such as; holes, cracks and crevices within any of the trees were surveyed from ground level and any evidence or potential evidence of bats was recorded, in accordance with current national guidance.
- A systematic botanical walkover of the site was conducted to determine the floral quality of the site. All species were recorded and assessed.
- Invertebrates were also noted and the data logged as part of the survey. For example, any vertical banks or areas of bare ground were systematically searched for mining bees and/or evidence of mining bees.
- All the trees within the site were assessed for their ecological and/or conservational value. However, it is understood that none of the mature and semi-mature trees on or immediately adjacent to the site are to be impacted by the proposed development.
- All habitats found on site as part of the survey e.g. Buildings, Woodland and Scrub, Grassland and Arable, Boundary Structures, Water Features and Vegetation types were also logged and assessed for their rarity, ecological suitability and connectivity, and overall ecological value as cited within the national guidance.

C7 Species Potential

Table 3

Species potential as defined by integrating the national guidelines (2012).	
CONFIRMED	Species would have been found to be present during the survey and/or evidence of species activity is found to be present during the survey. e.g. bats heard 'chattering' inside a roost are discovered.
HIGH	Any buildings, trees or other structures with features of particular significance would be present, e.g. opportunities for protected species re: nesting habitat, roosting opportunities or ponds. Any habitat deemed of a high quality, e.g. for foraging such as; broadleaved woodland, tree-lined watercourses, grazed parkland, site connectivity with the wider landscape, commuting routes e.g. river or stream valleys and hedgerows. Site is close to known locations of records for protected species.
MODERATE	There would be on site several potential habitat opportunities in buildings, trees or other structures. Habitat which could be used for foraging e.g. trees, shrub, grassland or water. The site could be connected with the wider landscape by linear features that could be used by commuting e.g. lines of trees and scrub or linked back gardens.
LOW	A small number of less significant habitat opportunities would be present. e.g. an isolated habitat such as a lone tree or patch of scrub used for foraging or shelter, or an isolated site not connected by prominent linear landscape features.
NEGLIGIBLE	No suitable habitats would have been recorded.

The levels of concern within Table 3 above present a scale continuum against which the significance of habitat value and opportunities for protected species at the site can be graded.
By referring to this continuum and using their expert judgement, the ecologist classified features such as habitats; buildings etc. as representing negligible, low, moderate, high value and/or a confirmed presence.

C8 Equipment Employed

The ecologist used varying equipment to aid the surveys which included:

- Binoculars (Leica BN 8x32).
- A high powered 600 lumen power torch, for examining tree stems etc.
- Telescopic ladders, for examining any Potential Roost Features (PRF) on accessible tree stems.
- A Canon 700D camera to record the findings.
- GPS (Garmin Etrex 10) for accurate planning and positioning.
- Ranging poles, used for scale.
- Clinometer, for the measuring height and/or angles of trees etc.
- 30m reel tape.
- Hand lens and ID guide: F, Rose (2006) The Wild Flower Key.

C9 Timing

All field surveys were conducted in favourable weather conditions at an optimum time of year for the surveys to be conducted and completed (May 2018).
The surveys also included an extensive desk-based search. This was conducted prior to and during the period of this report being produced.

C10 Constraints

- No surveys were conducted in adverse weather.
- All parts of the site were accessed by the surveyor with no restrictions.
- All surveys were conducted with the correct permissions.
- All surveys were conducted within the professional guidelines at cited by the BCT, NE and CIEEM.
- All surveys were conducted at the optimum time of year for the type of survey.

C11 Personnel

The ecologist on site was: Anthony Bird BSc PGDip MCIEEM, an established, qualified and experienced consultant ecologist, trading under the name of WDEC and registered with CIEEM.

D. RESULTS

D1 Maps of the site: Potential Development Site: Central Grid Ref: SE243035.

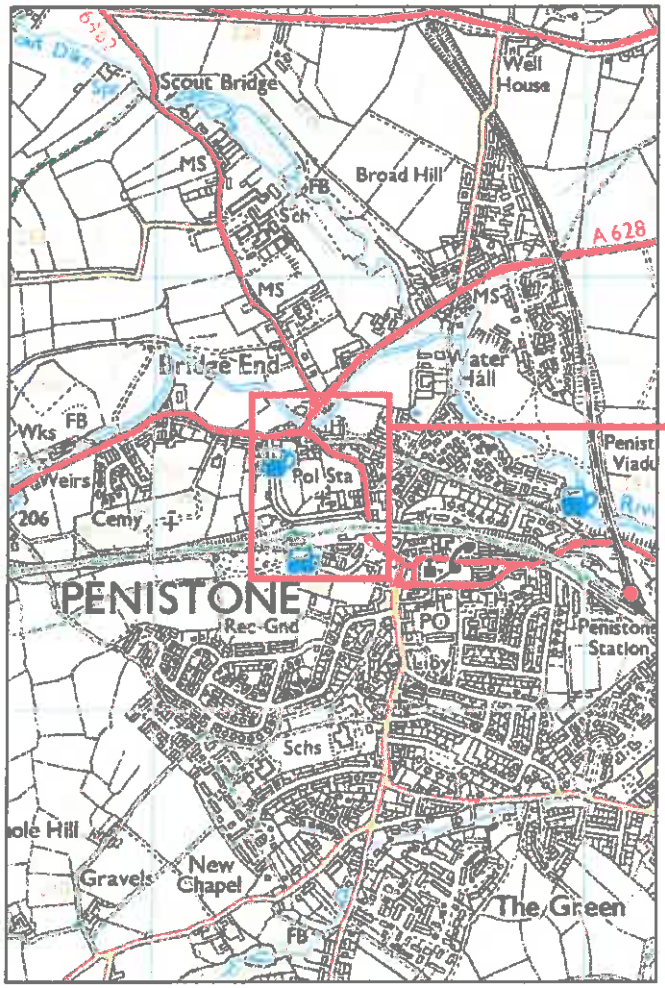

Fig 1: 10km Ordnance Survey 2018



Fig 2: 2km Ordnance Survey 2018



Fig 3: Google Earth 2018: The approx. site area is highlighted within the red box. (Photograph taken in 2015)



Fig 4: Google Earth 2018: The site boundary (in red)



Fig 5: Google Earth 2018: The individual fields concerned within the site.

D2 Data Search & Desk Study Results (May 2018)

Table 4

All designations are sourced within 2km of the site: SE243035		
MAGIC – Authoritative Geographic Information – Defra – www.magic.gov.uk		
Land Based Designations		
Statutory	None	
Historic Non-statutory	None	
Habitat Designations		
Grassland		Proximity to the site
Priority Habitats Inventory	Good Quality Semi-Improved Grassland (Non-Priority)	• 560m W • 1.2km NW • 2km S
Woodland		Proximity to the site
Priority Habitat Inventory	Ancient Woodland	• 1km S • 1.1km E • 1.6km SE • 1.8km NE
	Deciduous Woodland	• 200m SW • 240m W • 360m N • 380m NE • 460m NW • 470m SE • 500m E • 1km S
Species Designations		
Birds		
The site sits within an area designated for:	Farmland Birds: Arable Assemblage Category 3 Farmland Birds: Grassland Assemblage Category 2	• Lapwing (*Vanellus vanellus*) • Tree Sparrow (*Passer montanus*) • Grey Partridge (*Perdix perdix*) • Curlew (*Numenius arquata*)
Local Records Data		
Sheffield Biological Records Centre		
Notable Habitats & Species (Protected) recorded within 2km of the site: 2006 – present day		Records:
Bats (All species). *There are no records for the actual site*		• Common Pipistrelle (*Pipistrellus pipistrellus*) 28 records • Noctule bat (*Nyctalus noctula*) 5 records • Soprano Pipistrelle (*Pipistrellus pygmaeus*) 1 record • Brandt's bat (*Myotis Brandti*) 1 record
Barn Owl (*Tyto alba*)		1 record
Badger:		13 records
Local Biodiversity Action Plan (LBAP) Habitat		Immediately adjacent to the southwest of the site

D3 Site Description and Local Environment

The whole of the proposed development site is situated to the north of central Penistone, with likely connectivity to the wider countryside being available in at least four directions; to the west, northwest, southwest and north east. Open grassland fields, wooded corridors and hedgerows radiate in these directions.

The majority of the site consists of grassland grazing, with boundaries to the majority of the small fields (four in total) consisting of drystone walls and/or post and rail style timber fencing.
There are no statutory and/or non-statutory designations within the site and no protected habitats and/or species have been recorded on or immediately adjacent to the site.

The site is situated within a semi-urban area on the edge of the town and is surrounded by houses, shops, a public house (and car park) with roads to three sides.
The fields themselves are exclusively used to graze horses and ponies.

The site's vegetation, habitats and resident fauna was all found to be relatively unremarkable consisting of species considered to be common, widespread and typical within the local and wider area.

During the survey, the site was observed to be inhabited by eight (8) different species of bird, all of which were observed feeding and foraging, and displaying nesting and/or chick feeding behaviours.

The most dominant species throughout the site is perennial rye grass (*Lolium perenne*) and the site was assessed as being botanically poor and it is suspected that this is mainly due to the soil structure, decades of grazing and the lack of local disturbance or alternative uses.

- *For the full list of fauna and flora see Appendix 3.*

D4 Habitat Surveys

Table 5: See Appendix 1: AP1.3 for the Extended Phase 1 Habitat Plan

Habitats	Comments and Findings	JNCC Classification
Buildings	There are no permanent buildings within the site.	N/A
Woodland & Scrub	There is no woodland on the site, however, there is an area of open scrub on the western boundary.	A2.2 Woodland and Scrub – Scrub – Scattered
Trees	There is a belt of young and semi-mature trees on the eastern boundary. All other trees found within the site were discovered to be semi-mature and of little ecological value. All were searched as part of the survey for Potential Roost features (PRFs) from ground level, however, no PRFs were ascertained.	A1.2 Woodland and Scrub – Woodland – Plantation
Hedgerows	There are no hedgerows within the site.	N/A
Grassland & Arable	The site is totally dominated by short well-grazed, close cropped, poor semi-improved grassland and there is no arable on site.	B6: Grassland and Marsh – Poor semi-improved grassland. (SI)
Boundary structures	The majority of the boundary is drystone wall with some post and rail style timber fences.	J2.5: Miscellaneous – Boundaries – Wall J2.4: Miscellaneous – Boundaries - Fence
Water Features	There are no water features on site.	N/A
Vegetation	The majority of the site is short grazed grasses, however, there are other common grassland species such as; common nettle (*Urtica dioica*), broad-leaved dock (*Rumex obtusifolius*), creeping buttercup (*Ranunculus repens*) and daisy (*Bellis perennis*), etc. all in abundance.	B6: Poor semi-improved grassland

D5 Protected Species Surveys (fauna)

Table 6: Species potential as defined in C7 Table 3.

Protected Species	Comments & Findings	Potential
Amphibians (All species)	No amphibians were discovered within the site on the day of the survey and there are no waterbodies on the site. There are no records of great crested newt (GCN) within 2km of the site.	NEGLIGIBLE
Badgers	There is no evidence of badgers on site, however, there are records of badgers within 2km.	NEGLIGIBLE
Barn Owl	There was no evidence of barn owl discovered on site and there are no buildings or nest boxes within the site that could harbour breeding or roosting barn owls. There is a record of barn owl within 2km of the site.	NEGLIGIBLE
Bats (All species)	The site is surrounded by potential bat roost habitats within the surrounding buildings, etc. and the site as a whole was assessed as providing a moderate bat foraging habitat. However, there are no records of bats within the site, although there are numerous records of four species of bats within 2 km of the site.	ROOSTING POTENTIAL NEGLIGIBLE FORAGING POTENTIAL MODERATE
Birds	There is suitable habitat within the site in which birds could nest; trees and shrubs on the boundaries and within the drystone walls. No active birds' nests were discovered during the survey; however, nesting behaviours of at least two species were observed. Several bird species were observed foraging and feeding throughout the site. Eight common species of birds were recorded in total within the site during the survey.	CONFIRMED
Other terrestrial mammals: Otter, Water Vole & Hazel Dormouse	No evidence of any other protected mammal was found. The habitats on the site were found to be unsuitable for otter, water vole and/or hazel dormouse (*Muscardinus avellanarius*). Evidence of both rabbit (*Oryctolagus cunniculus*) and brown rat (*Rattus norvegicus*) was discovered in several parts of the site.	NEGLIGIBLE
Reptiles	There was no evidence of reptiles discovered on site e.g. shed skins etc.	NEGLIGIBLE
Invertebrates	Invertebrates were unsurprisingly recorded within the site; however, the species recorded were all assessed as common, widespread, unremarkable and to be expected in this area.	NEGLIGIBLE

E. CONCLUSION

Table 7: Species and habitats: reference conditions and enhancements under NPPF and Circular 06/05

	Comments & Findings	Conclusions
Habitats	All individual habitats found at the site are common and widespread. No rare, scarce or unusual habitats were found. The site is considered to be of a low ecological value.	Further ecological surveys are not necessary.
Vegetation	The majority of the site was assessed as a species-poor habitat and all the individual species recorded as part of the survey conducted at the site were considered to be common and widespread. (See Appendix AP3). No protected, rare, scarce or unusual species were recorded anywhere within the site and the site was assessed as being reasonably botanically-poor; it is suspected that this is mainly due to the lack of variation in the soil and historical heavy grazing and lack of disturbance. A full list of the floral species recorded within the site can be found in Appendix AP3.	Further ecological surveys are not necessary.
Trees	The trees within the site were found to be semi-mature common species with no specific ecological value. 95% of the larger trees on site were found to be sycamore (*Acer pseudoplatanus*) all of which were suspected to be negative for potential bat roosts within them.	Further ecological surveys and/or PRF aerial assessments are not necessary.
Amphibians (All species)	No amphibians were observed or recorded within the site and the site was assessed having no potential for amphibians.	Further ecological surveys are not necessary.
Badgers	There is no evidence of badgers; paths, paw prints, latrines, and snuffle holes within any part of the site.	Further ecological surveys are not necessary.
Bats	There is no evidence of bats and/or bat roosts anywhere within the site. However, the surrounding wider environment (buildings, structures, mature trees and woodland) are all potential roosting habitats. With this in mind the site could provide foraging opportunities for bats.	Further ecological surveys are not necessary.
Barn Owl	There is no evidence within the site to suggest that barn owls use the site for any purpose.	Further ecological surveys are not necessary.
Birds	There is suitable cover on the boundaries of the site and within the drystone walls in which birds do use for nesting. Birds were also observed foraging throughout the site. However, the site has very limited ecological value for birds.	Further ecological surveys are not necessary.
Other Protected Mammals	No evidence of any other protected mammal was discovered within the site.	Further ecological surveys are not necessary.
Reptiles	No evidence of reptiles was found within the site.	No further ecological surveys necessary.

F. RECOMMENDATIONS

- Eight (8) species of birds were observed during the survey, all of which are typical of this environment, some of which were young or juvenile birds. Nesting behaviours were observed in several areas of the site and it is important that birds are considered if trees and shrubs are to be felled and/or pruned. Active birds' nests are protected and must be considered when operations are taking place.
- The bird nesting season (according to Natural England) is between April and July, however, active birds' nest can be found outside these months and it is always prudent to search areas of trees and shrubs before any works take place.

- WDEC always recommends the following in regard to proposed development works on field sites:
  1) A precautionary approach should generally be followed to the works at the site during any period in which any habitats are to be impacted in any form.
  2) A tool box directive should be given to the workforce working upon the site, instructing them of what to do if protected wildlife is discovered and what is legally expected of them.
  3) A watching brief should be kept at the site by site management and a strategy put in place in case protected wildlife is discovered and/or injured within the site.
  4) Should any protected species i.e. active birds' nests or bat roosts be discovered during the works or it is believed that protected species are present within the site, **work must cease immediately** and an appropriately licensed ecologist be engaged to assess the situation before any works continue.
  5) Consideration must be given to the fact that work scheduling may be affected should wildlife be discovered in this way. It is always judicious to search a site thoroughly before any works, at any time of year, for the presence of wildlife.

G. REFERENCES AND ACKNOWLEDGEMENTS

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British Standard 5837:2012 National Planning Policy Framework, 2012. http://www.communities.gov.uk/publications/planningandbuilding/nppf

Local Biological Records & local information re: the site, habitats and protected species sought from several different sources including:

- Sheffield Biological Records Centre.
- MAGIC and other freely available information e.g. Natural England's nature on the map website, NBNatlas, etc.
- Ordnance Survey 2016: using OS grid reference: SJ756808.

Limitations:

WDEC conducted the survey/s and authored the resulting report for the client and/or their agent/s in accordance with WDEC's General Terms and Conditions. It is deliberately stated that the results of the survey/s of which the above report concludes were correct at the time of writing. This report may not be relied upon by any other persons without the prior and express written agreement of WDEC. The conclusions and recommendations contained within this report are also based upon information provided by third parties (as cited above). Information obtained from third parties has not been independently verified by WDEC and was taken as read.

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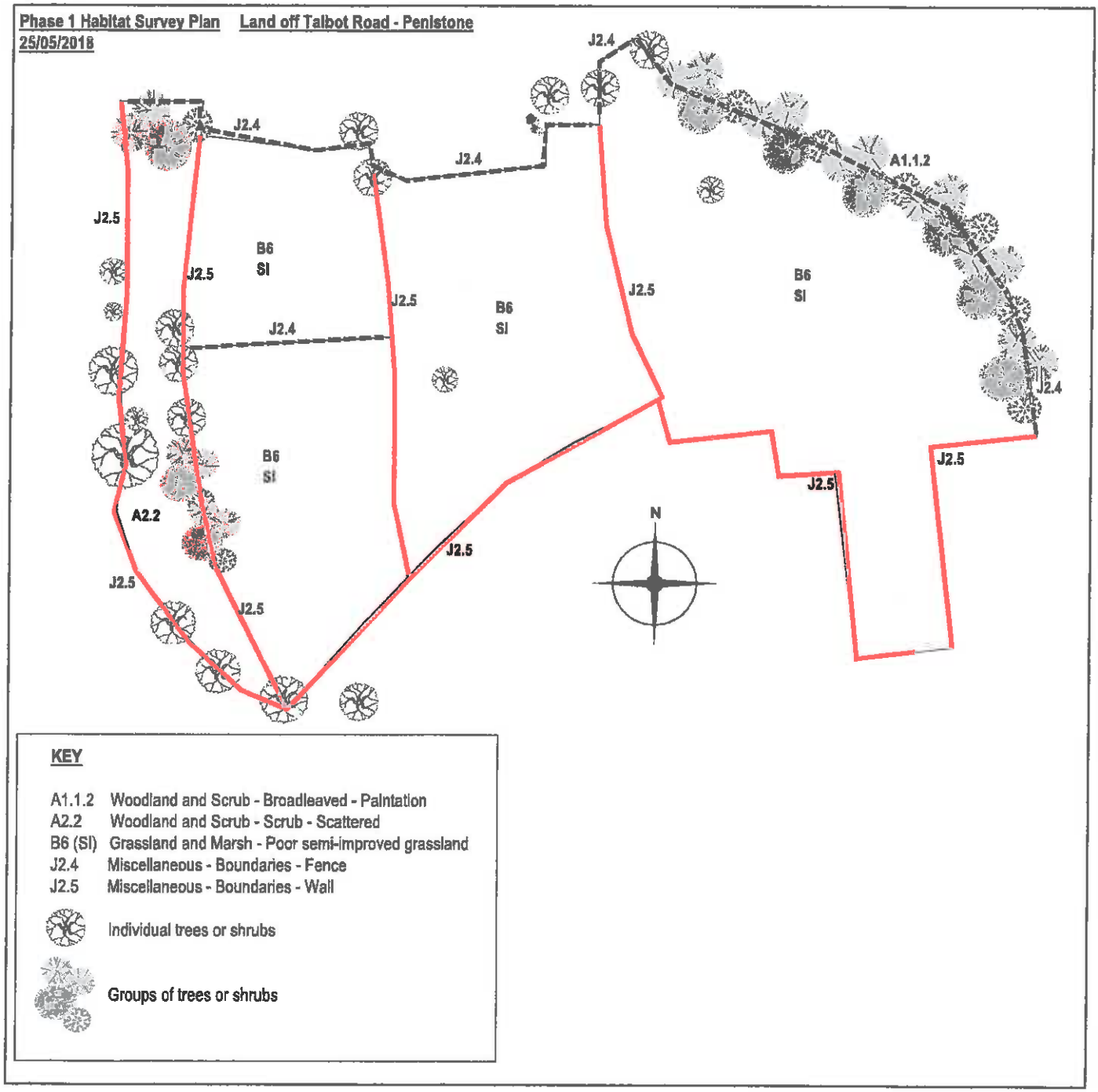
APPENDICES

AP1: MAPS & PLANS

Fig 6: Phase 1 Habitat Survey Plan



AP2: PHOTOGRAPHS



Fig 7: The site (field 1) from the extreme south west corner



Fig 8: The site from the north west corner of Field 2b



Fig 9: East over Fields 1 and 2a



Fig 10: North over Field 3



Fig 11: Northwest over Field 3



Fig 12: The boundary wall/fence between Fields 3 and 4



Fig 13: North east over Field 4



Fig 14: The east boundary belt of trees



Fig 15: The extreme south east of the site



Fig 16: The south of Field 4

AP3: NATURAL NATIVE SPECIES LIST

Species or evidence of species observed within the survey.

Botanically, the site was initially assessed as relatively species-poor. All species observed were common and widespread.

Table 8: Flora

COMMON NAME	SCIENTIFIC NAME		COMMON NAME	SCIENTIFIC NAME
Sycamore	*Acer pseudoplatanus*		Spear Thistle	*Cirsium vulgare*
Hawthorn	*Crategus monogyna*		White Clover	*Trifolium repens*
Scots Pine	*Pinus sylvestris*		Daisy	*Belles perennis*
Rowan	*Sorbus aucuparia*		Perennial Sow Thistle	*Sonchus arvensis*
Silver Birch	*Betula pendula*		Common Chickweed	*Stellaria media*
Holly	*Ilex aquifolium*		Perennial Rye Grass	*Lolium perenne*
Ash	*Fraxinus excelsior*		Annual Meadow Grass	*Poa annua*
Elder	*Sambucus nigra*		Cock's Foot	*Dactylis glomerata*
Ivy	*Hedera helix*		Yorkshire Fog	*Holcus lanatus*
Cow Parsley	*Anthriscus sylvestris*		False Oat Grass	*Arrhenatherum elatius*
Common Cleavers	*Galium aparine*		Mat-grass	*Nordus stricta*
Dandelion	*Taraxacum officinale*		Sheep's Fescue	*Festuca ovina*
Greater Plantain	*Plantago major*		Common Bent	*Agrostis capillaris*
Common Nettle	*Urtica dioica*		Creeping Buttercup	*Ranunculus repens*
Broad-leaved Dock	*Rumex obtusifolius*		Meadow Buttercup	*Ranunculus acris*

❖ Please note: The survey conducted was not a specific botanical survey and the list above represents what was observed on the day.

Table 9: Fauna

COMMON NAME	SCIENTIFIC NAME		COMMON NAME	SCIENTIFIC NAME
Brown Rat (droppings)	*Rattus norvegicus*		Blue tit	*Parus caeruleus*
Rabbit (droppings)	*Oryctolagus cunniculus*		Great tit	*Parus major*
Blackbird	*Turdus merula*		House sparrow	*Passer domesitcus*
Wren	*Troglodytes troglodytes*		Robin	*Erithacus rubecula*
Wood pigeon	*Columba livia*		Carrion Crow	*Corvus corone corone*

AP4: LOCAL BIOLOGICAL RECORDS DATA

Fig 17: Local Biological Records Search encompassed all the areas within the red circle. LBAP SBRC 2018

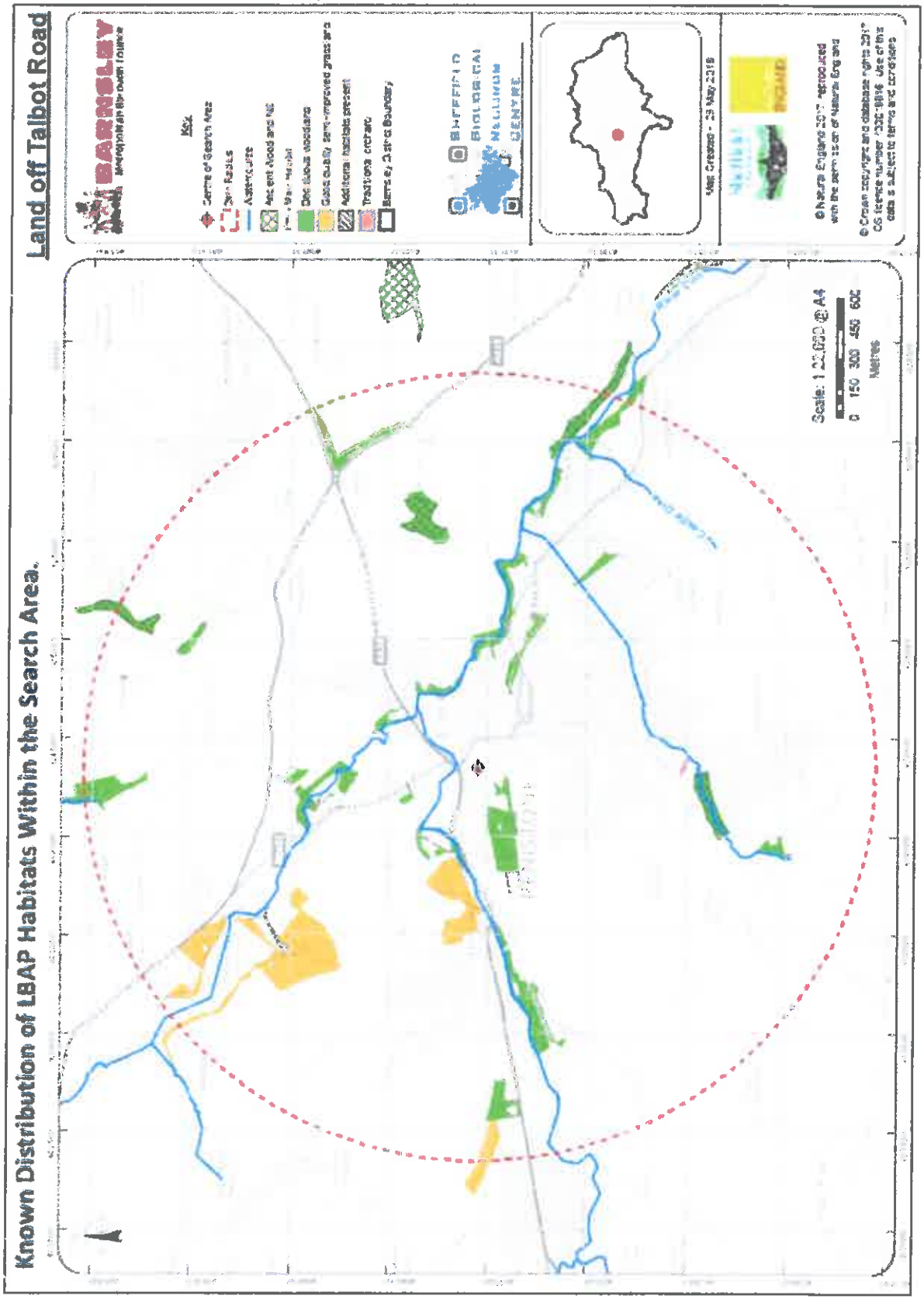
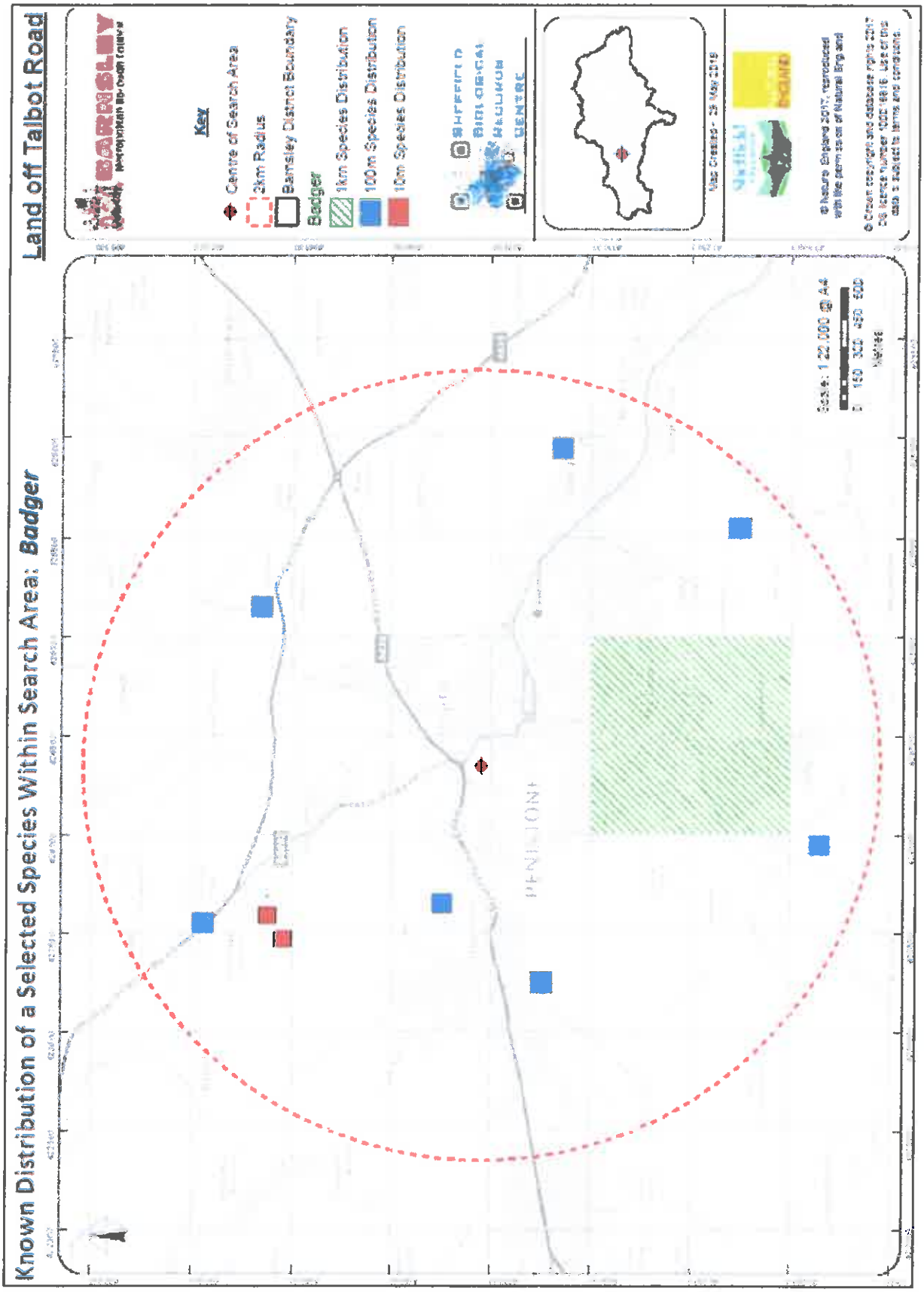


Fig 18: Badger records with 2km of the site.



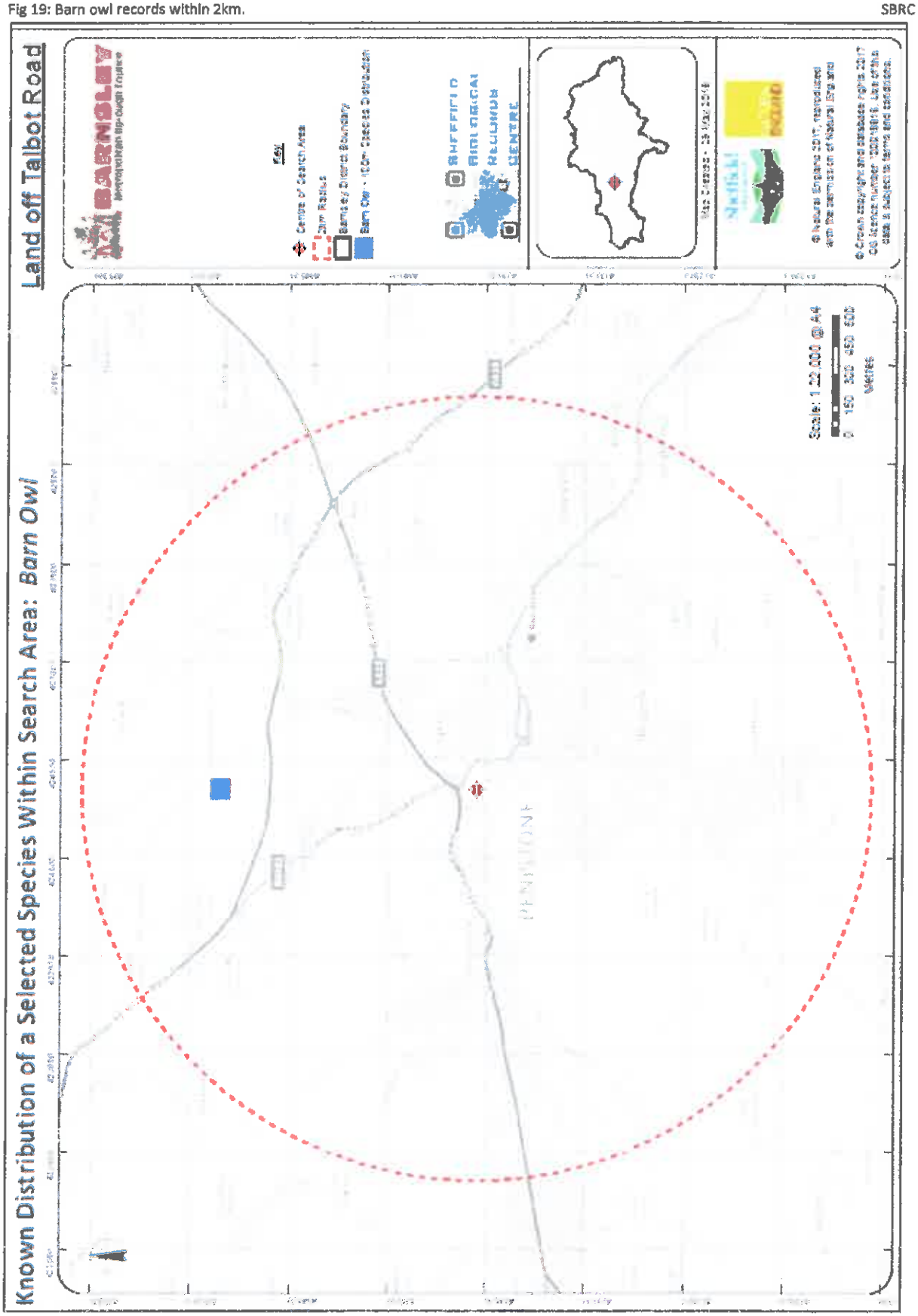
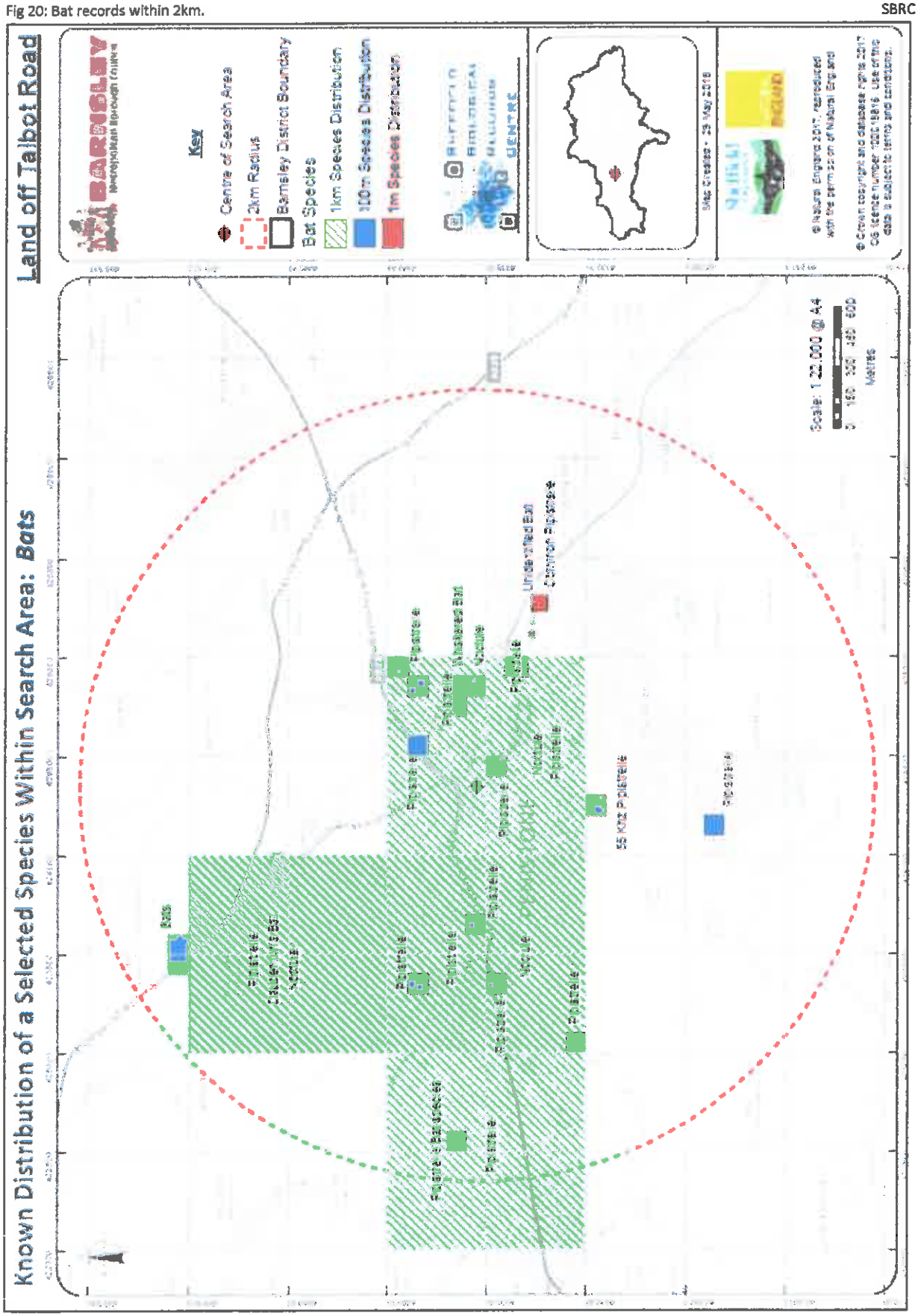

Land off Talbot Road
Known Distribution of a Selected Species Within Search Area: Barn Owl
BARNSLEY
Key
Centre of Search Area
2km Radius
Barnsley District Boundary
Barn Owl - 10km Search Resolution
SHEFFIELD ENVIRONMENTAL RECORDS CENTRE
Scale: 1:22,000 @ A4
0 150 300 450 600
Metres

Fig 20: Bat records within 2km.



AP5: LEGISLATION AND LEGAL STATUS FOR REFERENCED SPECIES

- *Wildlife & Countryside Act 1981 (& as amended)*

  Subject to the provisions of this Part, a person is guilty of an offence if he/she intentionally or recklessly—

  (b) disturbs any such animal while it is occupying a structure or place which it uses for shelter or protection; or

  (c) obstructs access to any structure or place which any such animal uses for shelter or protection.

- *Conservation of Habitats and Species Regulations 2017*

  Part 3, regulation 41, paragraph (1) of the *Conservation of Habitats and Species Regulations 2010 (& as amended)* states that

  A person who—

  (a) deliberately captures, injures or kills any wild animal of a European protected species,

  (b) deliberately disturbs wild animals of any such species,

  (c) deliberately takes or destroys the eggs of such an animal, or

  (d) damages or destroys a breeding site or resting place of such an animal, is guilty of an offence.

  Part 3, regulation 41, paragraph (2) states that disturbance of animals includes in particular any disturbance which is likely:

  (a) to impair their ability—

  (i) to survive, to breed or reproduce, or to rear or nurture their young, or

  (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or

  (b) to affect significantly the local distribution or abundance of the species to which they belong.

  The offence in the paragraph above applies regardless of the stage of the life of the animal in question.

  Under the terms of the *Habitats Directive*, developments that would result in a breach of the protection afforded to European Protected Species (EPS) may nevertheless be allowed by derogation under *Article 16* which is transposed by *Regulation 44* of the *Conservation of Habitats and Species Regulations 2010 (& as amended)*. By derogation, licences may be issued for certain prescribed purposes listed in *Regulation 44(2)(a)-(g)* where the licensing authority is satisfied that two tests are met, which are set out in *Regulation 44(3)*:

  1. A licence must not be issued unless there is no satisfactory alternative; and
  2. It must not be issued unless the action authorised by the licence would not be detrimental to maintaining the population of the species concerned at a favourable conservation status in its natural range.

- *Natural Environment and Rural Communities (NERC) Act 2006*

  Under the *Natural Environment and Rural Communities (NERC) Act 2006* a Planning Authority has a duty to conserve biodiversity. This duty is set out at Section 40, which states:

  "(1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

  (2) In complying with subsection (1), a Minister of the Crown, government department or the National Assembly for Wales must in particular have regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992.

  (3) Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat..."

- National Planning Policy Framework (NPPF) 2012 (DCLG, 2012)

  In the most basic terms, Paragraph 109 of the NPPF states that:

  "The planning system should contribute to and enhance the natural and local environment by... minimising impacts on biodiversity and providing net gains in biodiversity where possible..."

  In addition, Paragraph 117 identifies the need for planning policies to identify and map components of local ecological networks (both designated sites and stepping stones in between), and promote the preservation, restoration and enhancement of UK BAP Priority Habitats and ecological networks, whilst also promoting the protection and recovery of Priority Species.

- Office of the Deputy Prime Minister (ODPM) Circular 06/2005
  Biodiversity and geological conservation - Statutory obligations and their impact within the planning system.
  (DCLG, 2005)
  ODPM Circular 06/2005 states:
  "The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat."
  Therefore:
  "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."
  However:
  *"Bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is reasonable likelihood of the species being present **and** affected by the development."*
- Circular 02/99: Environmental Impact Assessment. 1999 (DCLG, 1999)
- The code of Practice for Planning and Development
  British Standard for Biodiversity – BS42020: 2013

- Legislation in Summary

Bats

All 18 species of bat common in the U.K (17 known to be breeding) and their roosts are afforded full protection by both UK and European laws and are fully protected under the Wildlife and Countryside Act 1981 as amended through inclusion in Schedule V. All bat species in the UK are also included in Schedule II of the Habitats Regulations 2010 which transpose Annex II of the Council Directive 92/43/EEC 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora ("EC Habitats Directive") which defines European protected species of animals.

Bats species are afforded further protection by the Countryside and Rights of Way Act 2000; and the Natural Environment and Rural Communities Act 2006.

This combined legislation makes it an offence to:

1. Intentionally or deliberately kill, injure or capture bats.
2. Deliberately disturb bats, whether at roost or not.
3. Damage, destroy or obstruct access to bat roosts.
4. Possess or transport bats, unless acquired legally.
5. Sell, barter or exchange bats.

A bat roost is defined by the Bat Conservation Trust Publication Bat Surveys—Good Practice Guidelines 2nd Edition as "the resting place of a bat" (BCT 2012). Generally, however, the word roost is interpreted as "any structure or place, which any wild bat uses for shelter or protection."

Bats tend to re-use the same roosts; therefore, legal opinion is guided by recent case law precedents, that a roost is protected whether or not the bats are present at the time. This can include for summer roosts, used for breeding; or winter roosts, used for hibernating.

Common Birds

All common wild birds are protected under The Wildlife and Countryside Act 1981.

This legislation makes it an offence to:

1. Kill, injure or take wild birds.
2. Take, damage or destroy the nest of wild birds while it is in use or being built.
3. Take or destroy the eggs of wild birds.

Certain rare breeding birds are listed on Schedule I of The Wildlife and Countryside Act 1981. Under this legislation they are afforded the same protection as common wild birds and are also protected against disturbance whilst building a nest or on or near a nest containing eggs and or unfledged young e.g. Barn Owl Tyto alba.

Reptiles

There are six species of reptiles in Great Britain (Edgar et al. 2010) and four of these are commonly found; the grass snake Natrix natrix, adder Viper aberus, common lizard Zootoca vivipara and slow worm Anguis fragilis ("common reptiles.")

All native British species of reptiles are legally protected through their inclusion in Schedule V of the Wildlife and Countryside Act 1981. As such, all species are protected from deliberate killing or injury. Therefore, where development is permitted, and there will be a significant change in land use, a reasonable effort must be undertaken to avoid committing an offence. The same act makes the trading of native reptile species a criminal offence without appropriate licensing.

Two species of reptile; the smooth snake Coronella austriaca and sand lizard Lacerta agilis, are further protected through their inclusion in Schedule II of the Habitats Regulations 2010 which transposes Annex II of the Council Directive 92/43/EEC 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora ("EC Habitats Directive"), which defines European protected species of animals ("rare reptiles.")

This legislation makes it an offence to:

1. Intentionally or deliberately kill, injure common and rare reptiles.
2. Deliberately disturb or capture rare reptiles.
3. Damage, destroy or obstruct access to rare reptile habitat.
4. Possess or transport a rare reptile or any part of a rare reptile, unless acquired legally.
5. Sell, barter or exchange common and rare reptiles. Rare reptile species occupy only highly restricted ranges in the extreme south east of coastal England, with isolated populations of sand lizard in e.g. coastal Wales and Cornwall. Smooth snake populations are isolated to lowland heaths in e.g. Surrey, Hampshire, Dorset and West Sussex.

Badgers

Badgers Meles meles are vulnerable to baiting, hunting and the detrimental impacts of development on their habitat. Both the badger and its habitat are protected under The Protection of Badgers Act 1992, Schedule V of the Wildlife and Countryside Act 1981, and Appendix III of the Bern Convention 1979.

This legislation makes it an offence to:

1. Kill, injure, take or possess a badger.
2. Interfere with, damage or destroy a badger sett including e.g. obstruct access to a badger sett.
3. Cruelly treat or harm a badger.
4. Disturb a badger in a sett.

Penalties for offences are documented (NE 2010) as fines of up to £5,000 and imprisonment for each illegal sett interference or damage or death to a badger.

Great Crested Newts

Populations of great crested newts Triturus cristatus declined considerably in the late twentieth century (Langton et al. 2001) due to the intensification of agriculture. They require ponds with good water quality and as they spend most of their life on land these ponds must be surrounded by high quality terrestrial habitat.

Great crested newts are listed in both Annex IV of the EC Habitats Directive and in Schedule V of the Wildlife and Countryside Act 1981.

GCN are afforded further protection by the Countryside and Rights of Way Act 2000; and the Natural Environment and Rural Communities Act 2006.

This combined legislation makes it an offence to:

1. Deliberately kill, injure or capture a great crested newt.
2. Deliberately disturb a great crested newt.
3. Damage, destroy or obstruct access to a structure used for shelter or protection by a great crested newt.
4. Possess or transport a great crested newt.